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ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES



## **Tolerance-Discourses in Germany How Muslims are constructed as national others**

Nina Mühe  
Working under Prof. Schiffauer  
Europe-University Viadrina

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ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

# **Tolerance-Discourses in Germany How Muslims are constructed as national others**

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FRANKFURT (ODER)**

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Cultural Diversity in Europe**

**D5.1 Country Synthesis Reports on Tolerance and  
Cultural diversity - Concepts and Practices**

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Tolerance, Pluralism and Social Cohesion:  
Responding to the Challenges of the 21<sup>st</sup> Century in Europe**  
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## **Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe (ACCEPT PLURALISM)**

**ACCEPT PLURALISM** is a Research Project, funded by the European Commission under the Seventh Framework Program. The project investigates whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies and social practices, (c) how tolerance can be measured (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium conducts original empirical research on key issues in school life and in politics that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe, a Tolerance Indicators' Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and several academic publications (books, journal articles) on Tolerance, Pluralism and Cultural Diversity in Europe. The ACCEPT PLURALISM consortium is formed by 18 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou.

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The **Faculty of Social and Cultural Sciences at the European University Viadrina** seeks to research the complicated process of transformation taking place in current Europe by promoting the interdisciplinary relationship between the humanities and social sciences in these representative disciplines: Cultural History, Social Sciences, Literature and Linguistics.

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## **Executive Summary**

The following report examines issues of intolerance, tolerance and acceptance of diversity in Germany with a specific focus on the challenges that religious difference poses today.

As in many other European countries, religious practices, mainly those of Muslims, have become the major focus of public attention and have been debated as a major challenge to tolerance and acceptance in Germany. It is especially the visible aspects of religious practice, like mosque building, headscarves or public prayers that have caused major public debates within the last years and even raised the question, if there should be a limit to tolerance. The widely used exclamation “no tolerance for intolerance!” points to the fears of too much tolerance in the face of intolerant behaviour or norms.

This report therefore not only examines the way, how and if minorities are tolerated or accepted in German society, but also at the discourses connected to this question, mainly the discourse in tolerance. As can be seen in the above quoted exclamation, tolerance is not only used in order to include groups of others, but can also be used to exclude or even to construct them as others in the first place. Therefore the report also looks at those excluding processes and at the role they play for the whole society and the self-identification of the established national majorities.

### **Chapter 1**

The first chapter gives an overview of diversity challenges that have arisen in Germany over the last 30 years, and analyses contemporary tolerance discourses and practices of (in-) tolerance, (non-) acceptance and (dis-) respect towards ethnic, cultural and religious differences.

The chapter begins with an overview of the development of German national identity and describes how a specifically ethnic understanding of the nation has been an important factor for this development since the very beginning of the nation-building process. While Germany is not the only country to link ethnic origin to its understanding of nationality, some historians argue that this tie has been especially strong in Germany. Among the reasons given is the historical importance placed on local or regional identity over national German identity that has led to an even stronger emphasis on a constructed common German national identity, almost overcompensating to keep the fragmented territory together and build one nation. In the process, other nations were constructed as inferior in relation to the German one and a specifically German idea of the *Volk* was developed, which lays particular emphasis on a common bloodline of all the members of the nation. This was far more ideological than the concept of ethnicity, and strongly linked ideology and (perceived) biological factors. Together with the devaluation of other nations and ethnic groups this concept of the *Volk* ultimately led to the National Socialists’ idea of a superior German ‘race’, which had to govern all other ‘races’ and even extinguish other groups and nations.

Although the National Socialist regime and its ideas have long been overcome and certain thinkers, like Jürgen Habermas, have argued that the only possible patriotism in Germany today could be patriotism towards the constitution, the idea of the *Volk* has not been completely jettisoned. As a result, German citizenship has, until recently, been closely tied to ethnic origin.

The citizenship reform of 2000 has partially changed this and enabled immigrants and their descendants to become German citizens under certain circumstances.

After outlining this historical and legal background, the chapter then gives an overview of the last three decades since 1980 in relation to the most prominent ethno/religious groups that entered the public debate in these years, among them Muslims, Jews, Roma, but also ethnic German immigrants.

In this time the same group of people sometimes appears under different names and labels, due to their changed perception in society. The Turkish immigrants are for example mainly perceived as ‘labour migrants’ or ‘refugees’ in the 1980s, as ‘asylum seekers’ during the 1990s, and finally mainly as ‘Muslims’ in the years after 2001. Because the changes in perception of specific groups accompany changes in attitude towards them and even related political measures, this labelling has been adopted and discussed within this report.

Finally the chapter relates the discourse on tolerance in Germany, the different understandings of tolerance, and the way in which tolerance talk is used in public debates to the concept of integration and how it is understood by German government policies.

While tolerance is generally understood as the opposite of discrimination and racism, it can be observed in current public discourses that the concept of tolerance is also increasingly used to draw borders between those who are to be tolerated and those who are not, while the non-tolerance towards a specific group or individual is often legitimised with its own (perceived) intolerance towards others. Whereas ‘Turks’ or ‘Muslims’ were largely perceived as the victims of intolerance during the violent attacks in the early 1990s, more and more, they have come to be portrayed as ‘intolerant’ themselves, whether towards Jews, homosexuals or liberal societies in general. By portraying – especially religious – Muslims in this way, they are labelled as foreigners with incompatible values and beliefs to whom too much tolerance would be a detrimental attitude.

Looking at tolerance not only as a normative value but also as a political discourse that marks insiders and outsiders of the society allows us to observe the unequal power relations between the subjects and objects of (in-) tolerance.

## Chapter 2:

The second chapter looks at the question of (in-) tolerance towards diversity within the specific realm of education. For this purpose two cases are studied in detail, that both have to do with the accommodation of religious diversity within the school setting. As Muslims are by far the most discussed minority especially in the realm of education, both cases that were chosen have to do with this religious minority. Apart from the individual conflicts and their possible solutions more general questions are discussed, as for example the role of the religious neutrality of the state, how it has to be understood and how it can help or hinder tolerance and acceptance of religious difference in the school and other public places.

The empirical data collection consisted of 18 qualitative interviews that were carried out in early 2011. The research aimed at a critical discourse analysis of the two widely debated cases and to analyse connections of the two discourses to the larger discourse on Islam and Muslims in Germany. The data was also backed up by a roundtable discussion of education experts, who gave their feedback to the research in June 2011.

In the first case a 16 year old Muslim boy in Berlin took legal action against his school because he was forbidden to perform his Muslim prayer inside the school building. In 2008 the Berlin administrative court decided in favour of his appeal and obligated the school to provide a possibility for the pupil to perform his prayer at school. The next higher court level however revised this ruling in 2010 and allowed the school to prohibit Muslim prayers. The latter decision was confirmed by the next higher court level in 2011.

One important issue that was touched upon within this case, which is highly relevant for the debate about Islam and dealing with religious practice in general, is the understanding of neutrality of the state. Some public actors argued that the school would violate its neutrality if it provided a room for religious practice. As in the case of Muslim teachers with headscarves, the courts had to weigh the neutrality of the state and the negative religious freedom of non-religious pupils against the positive

religious freedom of the teachers with headscarves and of the pupils wanting to perform their prayers. Even if the courts in Berlin and certain other federal states have decided against the teachers with headscarves, it is even more difficult for the decision to go this way with the case of the Muslim pupil as he is a dependent minor who is obligated to attend the school, as opposed to the teacher, who can choose differently. It thus becomes evident that strict neutrality of the state can in certain cases even lead away from tolerance – the originally intended aim of neutrality of the state towards all religions alike – and towards intolerance of specific religious expressions and practices.

Even independently from this specific case the question of state neutrality and how it is understood will be path breaking for the handling of religious tolerance in the future. The different possibilities discussed are: a laic sense, that keeps religious expression away from public life, a hierarchical sense, that favours the interests of the established Christian churches over minority religions or a sense of equal treatment (and support) of religions before the law.

The question of the relationship between the state and the different religious communities is also important in the second case examined in this chapter, the question of Islamic religious education at public schools. The questions of how and by whom it should be organised and who decides upon the educational content are currently being debated in many different German *Länder* (federal states). Due to a specific legal situation in Berlin however the *IFB - Islamische Föderation Berlin* (Islamic Federation Berlin) has already been teaching since 2001 at public schools after having fought in court for about 20 years for this right. Although the organisation and its teachers have gradually become accepted, the case gives some insight into the difficulties within the process of ‘gritted teeth’ acceptance of the Muslim organisation at public schools, that is legally enforced but encountered strong resistance from both the public authorities and the individual schools and teachers.

Different from the case of the prayer room it actually seems to be in a phase of de-escalation in Berlin schools. The Islamic religious education began in a number of public schools in 2001 and has today reached a point where it seems that the organisation and its teachers have been accepted or at least tolerated at most of the respective schools. Even if some schools are happy to have the Muslim teachers at their schools and use them as mediators between the school and the Muslim pupils and parents, however a certain scepticism towards the Muslim teachers in general and the *IFB* in particular still seems to persist. Some interviewees even reported minor and major kinds of discrimination of some of the Muslim teachers at the schools in question.

Regarding the overall situation in Germany, the most important question in relation to Islamic religious education at public schools is the failure to acknowledge Muslim religious organisations as *Körperschaften öffentlichen Rechts* (Corporations under public law), an important prerequisite of German law on religion for religious education at public schools. The law foresees a close cooperation of state institutions and the respective religious community, represented by the corporation, in order to establish religious education. As these partners of the state do not yet officially exist in any of the federal states that require it, interim solutions are discussed such as Muslim advisory boards. Some interviewees raised the concern, that these solutions might consolidate the non-acknowledgement of Muslim organisations and also facilitate a stronger intervention of the state in the religious content of the education, which would not be backed by the constitution.

### Chapter 3:

The third chapter of the report analyses the national debate about the book “Germany does away with itself” by the former politician Thilo Sarrazin, that draws a future scenario of the German nation being overwhelmed by Muslims, who lower the national levels of intelligence and economic performance. The arguments of the author draw on already existing images of Muslims as the significant other in society and he takes them even further to a point, where tolerance towards this other and its religious practices does not seem appropriate any more. Although the book does not open a new debate, but

connects to similar discourses in other European countries, it extends this debate and supports the social boundaries towards Muslims being drawn narrower. This survey is interested in how this debate developed and how it can be seen as supporting the construction of a significant other against whom fears and anxieties are awoken that are hardly open any more for rational deliberation but support intolerant and even racist attitudes towards Muslims with a large part of the German population. Apart from the analysis of the Sarrazin debate, the report also looks at possible effects this national discussion has on members of the targeted minority.

The main questions of the present study are: Has the overall effect of the debate been to make intolerance towards a specific minority more socially acceptable? For this purpose we look into the development of the debate and its effects on social and political life. Has the political debate about Muslims and/or minorities and maybe also political measurements changed during and after the debate? And how do these developments, especially the changed acceptability of intolerance or intolerant speech affect the people involved? How does it change both their everyday life, their self-perception as entire part of the German society and their also their engagement in political life?

The analytical frame for analysing these questions is the interest in discursive mechanisms of boundary drawing and the construction of a significant other. The study seeks to collect insight into these mechanisms as well as their effects on changing (in-) tolerance towards Muslims in Germany and Europe.

The methodological tools of the analysis are a short discourse analysis of two major national newspapers and expert interviews. For the media analysis mainly the left-liberal *Die Süddeutsche Zeitung* (SZ) and the rather conservative *Die Welt* were followed between the 30<sup>th</sup> of September and the 20<sup>th</sup> of November 2009 after Sarrazin had already given a widely noticed interview in the magazine *Lettre International*, and between 23<sup>rd</sup> of August and the 9<sup>th</sup> of November 2010 right after the publication of the mentioned book. The second part of the analysis deals with the perception of the Sarrazin debate by members of the targeted minority groups and reactions of individual Muslims towards it. It consists of 6 expert interviews and one group discussion with a political group of 5 young Muslims and one of their group leaders, who had invited Thilo Sarrazin and talked to him about his arguments.

Through the public debate the immigrants and/or Muslims and their apparent cultural or religious difference are created as the absolute 'other' to German society by attributing with them every negative aspect that Germans want to distance themselves from - from Homophobia to anti-Semitism and misogyny. Following this ascription of negative attributes and values the group is then quite justifiably positioned outside the borders of 'what can still be tolerated' by German society. At the same time this exclusion of the other helps to construct a common national identity that is otherwise hardly to be found regarding the strong inner diversity of Germany and other European nations. This process of exclusion becomes stronger with the degree of public fears that the discourse raises. The worse a future scenario is constructed, in which the significant other becomes the dangerous other and takes over important parts of society, the more irrational the public fears become.

One of the factors of Sarrazin's success were the already existent anti-Muslim debates in other European countries and especially the growing populist parties, warning the European citizens against an apparent Islamisation of their societies and through this scenario creating a common European fear of the Muslim other, that is like the Sarrazin discourse quite untouched by rational deliberation. This significant other takes over a similar role on the European level as it does on the respective national levels, as it helps to define Europe through its perceived borders and 'limits of tolerance' and thus supports the unification process of the diverse European countries.

Regarding the effects of the Sarrazin debate and the general construction of Muslims as significant others on members of the Muslim minority, this survey found, that it caused detrimental social divisions by enforcing the perception of many Muslims not to be welcome in German society. Some young Muslims obviously reacted with drawing back into their smaller communities and looking for

other possible identity concepts than the German one, even if they were German citizens. Especially young people, who had already been active in civil society organisations and projects however managed to empower themselves and strengthen their self-confidence by learning more about both their own religion and German politics and how to handle both and engage into critical debates and even social activism.

#### Conclusion:

It has been especially the excluding effect of tolerance discourse that has been of interest to the research as well as its power to draw borders towards specific groups, that are constructed as completely different from the rest of society through those discourses. This construction of Muslims as the significant other and their subsequent exclusion is analysed throughout the different chapters of the report as well as the detrimental effects, this stereotyping processes have on the social cohesion. Apart from examining the effects this construction and the excluding mechanisms have on members of the thus targeted minority, the report also generally asks about the effects of this construction of the other on the self-understanding of the German majority and the construction of the national identity. The report describes some strong links between the recent construction of the Muslim other and the development of the German national identity in times of rapid socio-demographic and economic changes. As these debates and processes of constructing a national other are not exclusive to Germany, the report also draws some parallels of the German debate to the overall European debates about Islam and Muslims and the role those debates also play for the construction of a common European identity.

#### Recommendations:

We propose different policy recommendations for the local, national and European level on how to solve some of the problems with ethno-religious diversity dealt with in this research and to counter the construction of Muslims as others in society.

Following the research in the field of education we have two sets of advice, drawn from the two case studies: From the research about the prayer case the report recommends the Senate Administration for Education in Berlin and headmasters of the different schools at the local level as well as the *Kultusministerkonferenz* (joint board of the cultural ministries of the federal states) on the national level to reconsider the provision of a small, religiously neutral room at every school that can be used for spiritual purposes such as prayers or meditation.

Another recommendation for national policy makers is to reconsider the way how the religious neutrality of the state is understood and how it shall be understood in the future. Following the legal scientist Heinig the report also favours the understanding of state support of all religion equally before a laicisation of law and politics or even a hierarchisation in favour of the Christian denominations over others. Findings from the report give some evidence, that the first model of state support of all religions equally is the one that is most strongly connected to tolerance in the sense of respect. It is therefore most suitable for an open and diverse society, where all members are able to participate equally and where some way of mutual understanding and/or respect of different cultures and religious can be found.

The second case study on Islamic religious education at public schools led to further policy recommendations: Regarding the local level in Berlin, the Berlin Senate for Education together with regular schoolteachers, headmasters and representatives and teachers from the *IFB* should consider organising possibilities for encounter between the teachers of Islamic religion and the regular schoolteachers. Evidence from the report indicates that the contact at some schools might still be poor and that prejudice still prevails. On the other hand there is also evidence, that increased contact is able to strengthen mutual trust and understanding.

Similarly the headmasters of the public schools that offer Islamic religious education should consider actively integrating the IFB teachers into the school teams. This would both offer them equal opportunities and rights and counter hierarchical thinking between different kinds of teachers, but also make better use of the specific skills of the IFB teachers, such as being able to mediate between (religious) Muslim pupils and parents and non-Muslim pupils and teachers in potential areas of conflict.

At the national and state levels the political representatives together with the representatives of Muslim organisations should investigate all possible ways of acknowledging the Muslim organisations as *Körperschaften des öffentlichen Rechts* (corporations under public law). This is a basic prerequisite for close cooperation with the state, similar to that enjoyed by Christian churches, and would allow for Islamic religious education to be in the responsibility of the Muslim communities as guaranteed by the constitution. It would assist with dealing with other issues of religious practice that have already arisen or may arise in the future.

### **Keywords**

Tolerance, intolerance, acceptance, respect, Germany, national identity, diversity, Muslims, Islam, Jews, Roma, Resettlers, Vietnamese, labour migrants, Turks, Arabs, citizenship, border drawing, religious education, prayer room, education policy, school segregation, religious neutrality, religious difference, liberalism, significant other, fears, Islamophobia, racism, Sarrazin

## **Introduction**

Germany has been a de facto country of immigration since the beginning of recruitment of labour migrants from Southern European and Northern African countries and Turkey in the late 1950s and beginning 1960s. Together with later phases of refugee immigration from various countries and resettlement of ethnic Germans the population has steadily diversified in terms of ethnic, cultural and/or religious background. It has however been as late as 2000 that German politics has officially acknowledged Germany as an immigration country and have started considerable efforts to take political measures in order to meet the needs of this changing demography.

Recent public debates about immigration or post-immigration mainly focus on Muslims and more often than not question the fact, that people belonging to this perceived cultural-religious group can successfully participate in German society. The main concept used in these debates is the concept of integration that tends to be viewed as a duty of the (post-) immigrants/ Muslims to integrate themselves rather than as the main duty of the state to create circumstances of equal participation. As soon as parts of the group in question are perceived as lacking the will to integrate, the question of tolerance or intolerance appears in the debate. Only those groups and individuals who are seen as positively integrating are to be tolerated, whereas those who are seen as non-integrated or even unwilling to integrate should not be tolerated. In this sense, the tolerance-debate has been closely connected to the debates about (post-) immigration, integration and Muslims and is more and more used as a border-drawing concept between in- and out-groups in German society rather than as a concept of non-discrimination as it used to be perceived in former debates.

This report aims at analysing those debates in further detail and also following the question, if they have led to more or less tolerance, acceptance and/or recognition of ethno-religious minorities, notably Muslims as the mainly debated group in public discourse. Apart from looking at these debates and on the effects they have on members of the targeted minority group, the report also investigates into the question of what these developments tell about the national identity and self-perception of the non-immigrant majority.

Before looking into the public debates in further detail, the first chapter gives an overview of the German situation. After giving some insight into the historical developments of the formation of the state, the national identity and questions of citizenship, the major challenges in regard to cultural and/or religious diversity since the 1980s are outlined. The most important groups discussed in this way have been immigrants from Turkey, who have been labelled 'labour migrants', 'foreigners', 'asylum seekers' or 'Muslims' at different times and in different political circumstances, but also Sinti&Roma, Jews, ethnic German resettlers and others. At the end of the chapter discourses of tolerance and related concepts like integration are outlined, with a specific focus on the excluding character of most tolerance discourses. Rather than looking at tolerance as the opposite of intolerance, the tolerance discourse is analysed as a means to draw borders in society, especially between the perceived majority and certain groups, in particular Muslims.

The second chapter further elaborates on tolerance discourse within a specific social reality, the realm of education. Two case studies are used to outline the (in-) tolerance towards a religious minority, in this case Muslims, in the field of education. The first case deals with a Muslim boy in Berlin, who went to court in order to enforce his right to prayer in school. The case is especially interesting, because the arguments for or against his plea mainly turn around the question of the religious neutrality of the state as well as issues of (in-) tolerance. Most of the debates around Muslims in Germany have been initiated by outwardly visible religious practice, be it the wearing of religious garment, the building of mosques or the ritual prayer. In many of these cases the positive religious freedom of a person has been weighed against the negative religious freedom of others, who do not

want to see religious symbols or practice. As soon as visibility is in question, also the public space is generally touched upon, which again raises the question of the religious neutrality of the state. This neutrality can however be interpreted in quite different, even opposing ways and is thus an important and interesting factor of the debates. The prayer case thus gives a unique opportunity to study those ways of interpretation and arguments by the different actors involved and draw some general conclusion also for other debates about public religious practice. As the visible practice of religion also touches upon the issue of tolerance, the concept and how it is related with the understanding of state neutrality is also analysed in detail. The second case deals with the question of Islamic religious education at public schools. The issue is of high importance not only for religious communities but also for public officials and thus has been hotly debated for some years. Religious education in state schools is a basic right for religious communities and is generally organised in close cooperation with state institutions. The prerequisite for this official cooperation however is the status of the community as a public corporation (*Körperschaft des öffentlichen Rechts*) and no Muslim organisation has yet been officially acknowledged as such. The city of Berlin plays a special position in this regard because a certain clause (*Bremer Klausel*) causes a difference in the right to religious education and enabled a Muslim organisation to give religious education at Berlin public schools. This unique experience is analysed in further detail in order to give some insight into a specific example that might be helpful also for the debates about Islamic religious education in other federal states.

The third chapter deals with diversity challenges in political life and analyses one specific national debate about Muslims and the effects it had both on members of the Muslim community and on the status of (in-) tolerance towards this group in general. The debate about the book of the former Berlin senator Thilo Sarrazin “German does away with itself” (*Deutschland schafft sich ab*) is analysed in different German newspapers and different experts with considerable contact into the Muslim community are interviewed in regard to the possible effect it had on them. The focus of the analysis is both on the effects of the debate on attitudes and actions of policy makers regarding issues of Islam and Muslims in Germany and on reactions of members of the Muslim community with specific regard to their openness towards active participation in political life. The major focus and frame of analysis of the Sarrazin debate is the construction of the significant other in society. As Schiffauer lays out in his text on the logics of toleration Muslims have more and more been constructed as a group in society that is labelled as different from the rest by certain characteristics but coherent among each other (Schiffauer, forthcoming 2012). Those characteristics are then described as negative and different from the rest of society and the group and its members are thus rightfully viewed sceptically in various ways. Every attempt of the group or one of its members to claim specific (religious) rights is frequently debated as a question of tolerance or intolerance of the majority towards them. Intolerance towards these claims is in many cases and my different actors framed as the best solution as it helps upholding the tolerant society that is otherwise in danger by ‘tolerating the intolerant’. The Sarrazin debate has not been the first example of an openly anti-Muslim debate in Germany but certainly the strongest within the last years and the most widespread. It thus serves as a good example to study the way, how the significant other is constructed and subsequently excluded from the national ‘we’. To also look at the effect this exclusion has on the members of this group and their further social and political participation is another interest of this survey.



## **Chapter 1: Tolerance and Cultural Diversity Discourses and Practices in Germany**

### ***Introduction***

This chapter gives a broad overview of the major German debates concerning cultural diversity challenges that have taken place during the last thirty years, and of the most relevant groups and how they were addressed within these discussions. After summing up historical developments with respect to German national identity, and the politics of naturalisation and citizenship, we present the major debates on issues of immigration and diversity and how they were differently throughout the time since 1980.

The public debates and political ideas around issues of immigration have long been discussed amidst a general rejection of the fact that Germany has been a de facto country of immigration since the beginning of labour immigration after World War II. The perception that immigrants would one day return home – upheld for a long time even by the immigrants themselves – made it possible to (for the most part) ignore important issues of diversity, the necessity to politically address the social participation of immigrants and their children, as well as the changing demographic structure and national identity of Germany becoming an immigration country.

It was only in the year 2000, when the reform of citizenship laws gradually enabled non-ethnic Germans to become citizens, that politics officially declared Germany a country of immigration and, at the same time, pointed out the necessity to urgently design integration policies.

Though ‘integration’ has become the key political term within a wide variety of diversity issues, immigrant groups often perceive the real concept behind the label as rather assimilatory<sup>1</sup>.

In 2006 the Federal Chancellor Angela Merkel held the first Summit on Integration with representatives from most immigrant groups. However, growing debates about Muslims also caused the Ministry of the Interior to convene a summit about Islam, the German Islam Conference (*Deutsche Islamkonferenz*), at around the same time.

Integration, as it is widely used as a concept in political rhetoric, is regarded as an attempt by the majority to ‘integrate’ minorities into the already existing society and ‘culture,’ also labelled ‘*Leitkultur*’ (leading culture) by mainly conservative politicians. The possibility that the majority culture and society would undergo change through this integration is hardly ever addressed.

The public debate on *Leitkultur*, in a tone that demanded rules for adaptation of immigrants to values and ways of life of the majority, was started by Friedrich Merz, then chairman of the Christian Democrat parliamentary group in the *Bundestag* in 2000, who perceived a “liberal, German leading culture” as an alternative to multiculturalism (Merz, 2000). Then president of the *Bundestag* Norbert Lammert (CDU) had repeatedly uttered his view about the necessity of a leading culture, which he extended, during the time of the Danish cartoon conflict, to include a European leading culture, and which he also decisively placed in opposition to multiculturalism. For Lammert, multiculturalism was “at best, well intended, but thoughtless on closer inspection” and had arrived at its “obvious end” (FAZ, 2006).

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<sup>1</sup> Even the vice-president of the *Bundestag* Wolfgang Thierse (SPD) lately declared in an interview, that “there is no integration without assimilation.” [http://diepresse.com/home/politik/aussenpolitik/608313/Deutschland\\_Keine-Integration-ohne-Assimilation](http://diepresse.com/home/politik/aussenpolitik/608313/Deutschland_Keine-Integration-ohne-Assimilation)

One leading principle of the Christian Democratic Party towards minority groups is *‘Fördern und Fordern’* (Supporting and Demanding), a trope that has been widely quoted and applied in recent decades. This basic principle of the CDU represents the leading idea of a majority, which on the one hand supports its minorities, while on the other hand demanding adaptation to the ‘leading culture’ defined by the majority. The Federal Chancellor Angela Merkel lately interpreted this slogan of ‘supporting and demanding’ in such a way that emphasizes the demanding. At a party conference of the Christian Democrats in Mainz she said “whoever does not want to be supported has to be challenged, too” (“Wer nicht gefördert werden will, muss auch gefordert werden”) (Focus, 2010b). Here, she drew on one current discourse about immigrants, that they reject integration (*Integrationsverweigerer*), and gave the impression that even the supportive measures are to be carried out in a rather coercive context.

The idea of cultural diversity – describing an immigration society that is made up of citizens with different cultural heritages and religions, and is thus also changed and formed by these differences – is hardly used at all in the political sphere. Because of its link to the idea of multiculturalism, however, diversity has likewise been rejected by politicians throughout the last decade, long before the famous statement of the Federal Chancellor Merkel in October 2010, when she declared that the concept of multiculturalism had absolutely failed (sueddeutsche.de, 2010).

In light of this socio-political context, the following chapter will first outline the major diversity challenges that German society has been facing, and then describe the groups that have been most outstanding in public discourse on these challenges since 1980.

Throughout the period covered in this chapter, the primary object of public debate has been labour-migrants coming from Turkey and their children and grand children. The process of labour recruitment ended in 1973, after which immigration largely consisted of families joining workers who had migrated earlier. Whereas in the 1980s the debate still turned on ‘guest workers’ (*Gastarbeiter*), the perception of the Turkish immigrants within this group as problematic grew stronger and the reason for this was not infrequently seen in their cultural origin.

After the terror attacks on the World Trade Center in 2001, the debate began to turn on Muslims, who were to a large extent replacing ‘Turks’ in the public imaginary. One could say that, more or less, this same group of immigrants was perceived not only as ‘culturally’ determined, but also religiously so. Public discourse both culturalised and essentialised this group of (former) immigrants as ‘Turks’ and ‘Muslims,’ widely portraying them as fixed entities, whose members are hardly differentiated and substantially determined by their cultural/religious belonging.

At the same time the debate about asylum seekers, who came from very different countries, but also partially from Turkey, grew very strong and incited strong negative feelings in German society, leading even to violent outbreaks and murder in the 1990s.

Therefore, cognizant of the ways in which the same groups were given different labels, this chapter chooses to discuss groups mainly in the way they are and were labelled within the public discourse. Therefore the immigrants from Turkey and their descendants are discussed as ‘labour migrants’, ‘refugees’, ‘asylum seekers’, ‘Turks’ or ‘Muslims’, depending on the respective time and public debate.

Apart from Turkey asylum seekers arrived in Germany in the 1990s from very different countries, many of them escaping violent conflicts in Yugoslavia, Afghanistan or the Palestinian territories.

Some groups, such as Jews, the Roma, or Vietnamese were debated in different ways throughout the decades and in relation to different diversity challenges, whereas the labels hardly changed. In the 1990s, however, Jews were often discussed in the frame of ‘quota refugees’ (*Kontingentflüchtlinge*), a label they shared with ethnic German immigrants from Russia and other countries, but not with the Roma, who until today demand this status in light of the genocide committed against them during the Nazi regime.

Vietnamese also appeared in very different contexts in public debate, ranging from discourses that problematised asylum seekers, to the praising of their perceived positive example for integration – a quality that was especially highlighted during the debate around Thilo Sarrazin's 2010 book and subsequent discussion about Muslims, which advanced the question of whether their culture and/or religion keep them from being integrated.

After pointing out the different debates and political measures concerning immigration and diversity in Germany over the past thirty years, this chapter sheds light on the ways in which tolerance is widely used in public discourse in Germany today and as a normative concept in relation to different groups and issues. It explains the use of a variety of other concepts, like integration or acceptance, which are relevant in this context of dealing with difference.

### ***Germany: State formation, national identity and citizenship***

Citizenship outlines the borders of national belonging, of who is allowed to be an integral part of the society and who is not. The rules and regulations of citizenship thus reveal a lot about a country's understanding of its national identity. The German citizenship law has until 1999 been dominated by *ius sanguinis*, that deems ethnic descent the major factor for national belonging. According to the political scientist Werner Ruf, a specifically ethnic understanding of the nation has been an important factor of German development of national identity since the very beginning of the nation-building process.<sup>2</sup> An understanding of the German nation as ethnically determined has thus supported border-drawing and exclusionary processes, that culminated in extreme degradation of 'non-ethnic Germans,' and finally in the unprecedented genocide of the Holocaust by the National Socialists.

#### Historical development of the German national identity

The Peace of Westphalia, which ended the Thirty Years War in 1648, plays an important part in the German historical memory. On the one hand, it ended decades of violent conflict that centred on issues of religious freedom between the Catholic Church and other Christian denominations by laying the constitutional basis for mutual tolerance. On the other hand, it strengthened the power of the individual principalities vis-à-vis the German emperor (*Kaiser*), thus laying the foundation for the strong position of the German federal states in relation to the national government, an arrangement that persists until today. The regional identities have long been more important than a common German identity. Still, a strong national identity developed perhaps precisely because of these strong local ties; there was a necessity to construct and support a strong common, unifying identity for the fragmented territory, which was supposed to comprise one nation since the foundation of the *Deutsche Kaiserreich* in 1871. This, together with the developments to create a common German identity against those of other nations, like France, which were gradually all constructed as inferior in relation to the German one, led to the idea of the *Volk*, a specific concept of community, which developed in close relation to the concept of ethnicity, gaining prominence in relation to the national project until very recently. The concept of the *Volk* especially stressed the factor of a common bloodline of all the members of the nation, which – like one big family – were all perceived as of a common descent, of which the common language is an important constituting factor. Germany thus developed an idea of ethnic origin and common identity, which was far more ideological than the concept of ethnicity and that strongly linked ideology and – perceived – biological factors. This concept was directly related to the devaluation of other nations and ethnic groups, which eventually generated the National Socialists'

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<sup>2</sup> Ruf, W. (2000) Zum Nationsverständnis in Frankreich und Deutschland, deuframat, [http://www.deuframat.de/parser/parser.php?file=/deuframat/deutsch/4/4\\_2/ruf/kap\\_5.htm](http://www.deuframat.de/parser/parser.php?file=/deuframat/deutsch/4/4_2/ruf/kap_5.htm)

idea of a superior German ‘race’, which had to govern all other ‘races’ and even extinguish other groups and nations.

Among the individual states that were members of the *Deutsche Bund* (German Federation) from 1815 to 1866, the questions of a common German nation and national identity were heavily debated. After the unification of all German-speaking territories (*großdeutsche Lösung*) was found to be unrealisable, the member states of the *Deutsche Bund* united under the Prussian king and without the Austrian territories, which was called the *kleindeutsche Lösung*. A common identity, however, was not yet established, and the question of the unification of all territories in which German was the national language would come up again in between the two world wars, and in the National Socialist regime.

Germany has existed as a nation-state since 1871, when the military federation *Norddeutscher Bund* (Northern German Federation) became the core of the *Deutsches Reich* after other independent states (*Bayern, Württemberg, Baden, Hessen*) had joined the federation under a common *Kaiser*. The monarchy ended in 1918/19 with the German capitulation and the end of World War I. The then proclaimed German Republic (*Deutsche Republik*) adopted a new constitution, which is also known as the *Weimarer Verfassung*.

The time of the *Weimarer Republik* is another important landmark in German collective memory, as the young republic, which had a short zenith in the 1920s before the world economic crisis in 1929, in the end was the precursor for the National Socialist dictatorship. The republic, which had already been under the pressure of reparations for World War I and was extremely weakened by the economic crisis, was finally gradually taken over by right-wing extremist political powers, which had portrayed the German reparations and loss of territory determined in the treaty of Versailles after the end of World War I as a ‘humiliation of the German nation’ in order to gain votes from the economically suffering population.

The important factor of the downfall of the *Weimarer Republik*, until today is the perception that it had been too open for all political powers – even the enemies of the republic and its constitution – which eventually led to the National Socialists coming into power.

The lesson learnt from these historical developments is the enduring conviction that the republic and the constitution may under no circumstances admit its own enemies into power, that no ‘tolerance’ may be shown to the ‘intolerant’, as explained in more detail in the end of this chapter.

From the very beginning, Hitler’s two major goals were the war of aggression and extermination for creating new ‘living space in the East’ (*Lebensraum im Osten*) and the persecution and extermination of the Jews. This racist worldview of the Nazis and the attempt to create a ‘pure’ and ‘healthy’ common and superior ‘race’, the embodiment of intolerance in its most cruel form, targeted (apart from the Jews) two other minorities considered a ‘foreign race’ (*Fremdrasse*): the Roma, and members of Slavic ethnic groups, like Poles, Russians or Ukrainians. Other persecuted groups that were not considered a ‘foreign race’ but as a danger to the ‘health and purity of the population’ were homosexuals, disabled people and many other weak or minority groups, who were also victims of persecution, violence and murder. In the year 1941, the Nazis began with a systematic murder of Jews in specially constructed extermination camps. In the camp of Auschwitz-Birkenau alone, about one million people died in gas chambers.

The unconditional capitulation on the 8th of May, 1945, was circumvented by Hitler and other major responsible politicians and members of the military through suicide. Those major responsible persons that survived were convicted in the Nuremberg Trials (*Nürnberger Prozesse*).

After the allied forces occupied in 1949, the Federal Republic of Germany was founded in the three Western zones and the German Democratic Republic in the Soviet zone. The Cold War and the building of the Berlin Wall in 1961 completely separated the Eastern and Western parts of the German population from each other. It was only in 1991 that Germany was completely reunified and regained its state sovereignty.

An important historical heritage is the collective memory that Germany incited and lost two World Wars. Ruf claims that this memory will probably have destroyed the perception of a German ‘cultural superiority’ once and for all (Ruf, 2000). Ruf argues that the cognizance of these historical events and developments broke the consensus of a superior German nation, on which both the Prussian-German Empire and the expansionism and racism of the Nazis had been based. As a result, considerable parts of the population are today deeply sceptical towards the militarism that was once the backbone of the state. Recent political developments, however, run counter to this view to a certain extent. Not only is German military engagement gaining international importance and intensity, but so are very recent debates about German (cultural) identity, especially in contrast to (mainly Muslim) immigrants. The influential book by Thilo Sarrazin (Sarrazin, 2010) – former member of the board of the Federal Bank, about ‘Germany doing itself in’ through the demographic rise of certain immigrant groups (namely Muslims), who are qua culture and/or religion less intelligent and economically effective than others – has marked a new German self-perception of superiority. This feeling of superiority is marked not so much biologically – even if Sarrazin also refers to biological factors – but more to cultural and first of all economic strength. It is nevertheless a nationally and culturally determined perception of superiority, where the understanding of culture is very essentialising, defining cultures as fixed and inflexible entities, and thus to a certain extent takes the place that was formerly inhabited by a similarly fixed and essentialising understanding of ‘race’. The debate and its effects are analysed in depth in the third chapter of this report.

After World War II, however, a certain ‘normalisation’ of the German national self-perception, the identification of the German citizens with the constitution, and the final acceptance of the borders of the Federal Republic made it possible to gradually leave the old concept of the ethnically and culturally determined nation behind.

Philosophers like Jürgen Habermas have been trying to introduce a specific understanding of the nation, called *Verfassungspatriotismus*<sup>3</sup> (patriotism towards the constitution). The national belonging in this concept is based on common political values like democracy and freedom of opinion instead of common descent. It thus becomes an alternative to the ethnic identification of the state.

Partially following this concept, the latest reform of the citizenship law adds aspects of *ius soli*, but does not completely abolish the *ius sanguinis*. It is however an important step towards a complete equality before the law, which enables the integration of immigrants without the assimilatory demand to give up cultural characteristics. Equality before the law would mean that the acceptance of and respect for the constitution would be the only necessary prerequisites for naturalisation. Significantly, the branch of the German intelligence service concerned with internal security is called the agency for the ‘protection of the constitution’ (*Verfassungsschutz*), as the constitution and the acceptance of it or even a certain ‘patriotism towards the constitution’ are perceived as lying at the core of the constitutional state.

However this process has not yet been completed; the citizenship law still contains many aspects of the *ius sanguinis*, and the understanding of national identity based on ethnic origin is still strong within society and politics. Although the general opening up of citizenship status towards non-ethnic Germans (most importantly children and grand-children of immigrants) has been a fundamentally important political step towards more equality before the law and an inclusive national identity, it can still be observed that immigrants and their descendents are often facing a conflicting situation today, as they are asked to identify with German national identity and even enabled to acquire citizenship, but are hardly accepted as ‘real Germans’ in everyday life. The currently heightened debate about

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<sup>3</sup> I owe to Jan Dobbernack the remark that Habermas has also framed another view towards German nationalism, which he called *DM-Nationalismus*. This concept also draws the attention to a German superiority complex, which is based more on a perception of economic superiority, productivity, business skills and the kind of intelligence those things require, which again introduces not only cultural but also biological aspects, as mentioned above about the book by Thilo Sarrazin.

integration is generally mentioning ‘Germans’ in opposition to ‘immigrants’ or ‘people with migration background’, thereby consolidating the foreignness instead of enabling a feeling of belonging.

### Citizenship and access to citizenship

Since the reform of the citizenship law in 1999/2000, children of non-German citizens born in Germany have access to German citizenship, subject to fulfilling certain requirements.<sup>4</sup> In part, this signifies recognition of the importance of citizenship for integration, and is partly based on major changes in the national self-understanding. For those born before 2000, however, access to citizenship remains more difficult.<sup>5</sup> In particular, this is because new rules and regulations increasingly stress the economic potential of those aspiring to immigration and naturalisation. For example, the latest change to the naturalisation law of 2004 (enacted in 2007) requires young immigrants less than 23 years of age (mostly children of immigrant parents) to show proof of income sufficient for their own sustenance.<sup>6</sup> This requirement is, however, waived where applicants are able to prove that their missing income is due to the lack of employment trainee and apprenticeship positions.

### *Development of naturalisation figures*

At first, the introduction of the law led to the naturalisation of large numbers of people (Stahl, 2002). Recent statistics, however, suggest a steady decline in rates of naturalisation, which may originate from a combination of factors. These include: a corollary to the time it has taken to provide access to citizenship; the reluctance of immigrants to apply for citizenship due to the stigma of betraying one’s national background; the perception of growing hostility towards Muslims in Germany – who make up the largest part of the immigrant population - and frequent and far-reaching feelings of discrimination.

Apart from the positive changes in the law, especially the shift from an ethnic understanding of the nation towards one based on place of birth, the new citizenship legislation also explicitly forbids dual citizenship. Naturalisation dropped considerably after a number of cases demonstrated that Turks who retook their Turkish citizenship after having received a German passport would lose their German citizenship once and for all. This is one of the major reasons why, despite supportive attitudes from Turkish consulates and legal arrangements that allow former Turkish passport holders to keep most of their citizenship rights, many Turks in Germany think twice before giving up their Turkish passports (Mühe, 2010).

Another legal change that creates difficulties for those young people who hold dual citizenship is the requirement to choose one of the two passports when they reach the age of 18. Under the citizenship law of 2000, children born in Germany whose parents have lived there for at least eight years receive a German passport, even if they possess another nationality. From the age of 18, however, they have to decide between the two citizenships. In 2008, this regulation affected 3,300 Turkish-Germans. Kerim Arpad, chairman of the European Assembly of Turkish Academics is among those who have criticised

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<sup>4</sup> A precondition for the children’s naturalisation by birth is a legal and unlimited residence permit of at least one of the parents for at least eight years. When aged 18–23, the child has to decide on German or another nationality. The latter is, however, challenged by several jurists, who doubt the compatibility with the constitution, which generally does not allow deprivation of citizenship in Art. 16 GG.

<sup>5</sup> Those born before 2000 had the possibility for one year to additionally choose German nationality if younger than ten years old.

<sup>6</sup> Deutscher Bundestag (23.04.2007) Gesetzentwurf der Bundesregierung, Entwurf eines Gesetzes zur Umsetzung Aufenthalts- und asylrechtlicher Richtlinien der Europäischen Union (Draft Law for the Implementation of Guidelines from the European Union concerning the Rights of Residence and Asylum), Drucksache 16/5065, <http://dipbt.bundestag.de/dip21/btd/16/050/1605065.pdf>

the double standards, noting that EU nationals with two passports are not required to make this kind of choice (am Orde, 2008).

#### *Exclusionary laws and regulations*

Recent legal regulations may further aggravate this sense of alienation. As of September 2008, the naturalisation process requires the passing of a national naturalisation test, which demands detailed knowledge about Germany's culture, history and society. The test, which will be applied throughout all of the federal states, is an improvement in comparison to certain tests in Baden-Württemberg and other federal states, which specifically target Muslim immigrants and ask questions about private attitudes in a discriminatory manner. (For a detailed critique of the naturalisation test, see Joppke, 2007.) Some of these are, however, still in use, even after the introduction of the national test.

Germany has also introduced language proficiency tests for spouses wishing to join their partners in Germany. The difficulty of obtaining the necessary language skills in rural areas of Turkey, combined with the fact that such requirements were not applicable to citizens from, for example, the USA or Japan, increased perceptions that this was targeted at especially preventing immigration from Turkey. Such perceptions are reinforced by comments from politicians such as Uwe Schünemann, the Interior Minister for Lower Saxony, during the discussion of changes to immigration laws, when he stated, that "Germany needs less people that abuse us and more that are useful for us" (Mühe, 2010: 46).

Other public officials like Lammert, president of the federal parliament, have recognised lately, however, that the fact that Germany is home to the highest number of third-country nationals in Europe, yet has one of the lowest naturalisation rates, represents a major barrier to civic participation. "Our problem in Germany is not too high an immigration rate, but rather too little naturalisation," he said (Welt online, 2010a).

#### *Cultural Diversity Challenges during the last 30 years*

Germany has been a de facto country of immigration since it started signing labour recruitment contracts with Italy (1955), Greece and Spain (1960), Turkey (1961), Morocco (1963), Portugal (1964) and Tunisia (1965). Until only a few years ago, however, official national politics denied the fact that Germany had since then been an immigration country. It was only in the year 2000 that the citizenship law was reformed and the children of immigrants, born in Germany, were given German citizenship under certain conditions. This reform also marked a major shift in political rhetoric. Whereas the long-time resistance of the political elites to regard Germany as a country of immigration also included a reluctance to implement or even debate integration measures, the reform of the citizenship laws changed the social reality, and a debate about the necessity to 'integrate' immigrant groups and their descendants gained importance.

**Table: People with migration background according to origin, migration experience and gender, micro census 2007**

Country/Region of origin	With own migration experience	Without own migration experience	Total	Percentage of women		
	absolute		in %		absolute	in %
EU-27	2,545	69.0	1,141	31.0	<b>3,686</b>	48.9
<i>not included:</i> Greece	240	62.5	144	37.5	<b>384</b>	45.1
Italy	431	56.6	330	43.4	<b>761</b>	41.3
Poland <sup>1</sup>	529	82.9	109	17.1	<b>638</b>	56.7
Rumania <sup>1</sup>	207	86.3	33	13.8	<b>240</b>	55.8
Other Europe	3,327	69.1	1,486	30.9	<b>4,813</b>	49.4
<i>not included:</i> Bosnia and Herzegovina	217	76.7	66	23.3	<b>283</b>	49.5
Kroatia	251	67.3	122	32.7	<b>373</b>	51.7
Russian Federation <sup>1</sup>	510	90.9	51	9.1	<b>561</b>	53.8
Serbia	287	73.4	104	26.6	<b>391</b>	48.3
Turkey	1,511	59.8	1,016	40.2	<b>2,527</b>	47.6
Ukraine	192	89.3	23	10.7	<b>215</b>	54.9
Europe in total	5,872	69.1	2,627	30.9	<b>8,499</b>	49.2
Africa	342	71.3	138	28.8	<b>480</b>	40.4
America	233	67.3	113	32.7	<b>346</b>	52.6
Asia, Australia and Oceania	1,183	78.8	318	21.2	<b>1,501</b>	49.0
<i>not included:</i> Near und Middle East	584	82.5	124	17.5	<b>708</b>	44.4
Kazakhstan <sup>1</sup>	203	94.4	12	5.6	<b>215</b>	51.2
South- and Southeast Asia	416	74.0	146	26.0	<b>562</b>	52.8
(Late-)Resettlers <sup>2</sup>	2,756		-		<b>2,756</b>	51.6
from Poland	518		-		<b>518</b>	
from the Russian Federation	475		-		<b>475</b>	
from Kazakhstan	320		-		<b>320</b>	
from Romania	173		-		<b>173</b>	
from the former Soviet	137		-		<b>137</b>	



*Tolerance-Discourses in Germany*  
*How Muslims are constructed as national others*

Union						
Without Information	2,904	63.3	1,682	36.7	<b>4,586</b>	
<b>People with migration background altogether</b>	<b>10,534</b>	<b>68.4</b>	<b>4,877</b>	<b>31.6</b>	<b>15,411</b>	<b>49.3</b>

Source: Statistisches Bundesamt (Federal Agency for Statistics);  
<http://www.destatis.de/jetspeed/portal/cms/>;

Quoted after Bundesamt für Migration und Flüchtlinge (Federal Agency for Migration and Refugees); Grunddaten

der Zuwandererbevolkerung (Basic Data of the immigrated population);  
<https://milo.bamf.de/llde/livelink.exe/fetch/2000/702450/7940651/13318648/customview.html?func=ll&objId=13531090%20%20&objAction=browse&sort=name>

(Translation from German done by the author of this text)

Fachserie 1 Reihe 2.2 (Bevölkerung mit Migrationshintergrund - Ergebnisse des Mikrozensus; Population with

migration background – Findings of the micro census), 2008. Data in Thousand. Own Description.

2) About one million (late-)resettlers could not be assigned to a country of origin; this is why there is a

difference between the total number of 2.76 million and the aggregate of the individual countries of origin,

specified thereunder. The category of (late-)resettlers concerns only people, who have immigrated themselves.

The largest immigrant group numerically has always been Turks or their children and grandchildren. The public perception of this group has changed throughout the decades in relation to political developments and issues that gained prominence in public discourse.

Apart from labour migration, refugees from different war torn countries make up another set of important immigrant groups. The Afghan diaspora in Germany is the largest in Europe. There are also significant numbers of Pakistanis and Indonesians in Germany, as well as refugees from the Balkans. The German-Arab population numbered approximately 290,000 in 2002 (Blaschke, 2004). Many Palestinians enter the country as official refugees from other countries, making it difficult to obtain precise numbers for this immigrant population.

After the fall of the Berlin Wall and the opening of the borders, the number of ethnic German resettlers increased considerably. (For the different types of immigrant legal statuses, including refugees and asylum seekers, see also Ohliger and Raiser, 2005). The immigration consisted of both inhabitants of the Eastern German territories (*Übersiedler*) and of immigrants of ethnic German origin from the territories of the former Soviet Union (*Aussiedler*), who received the German nationality.

Another minority group is the German Sinti and Roma, who have not immigrated recently, but have in fact resided in Germany for several hundred years. After having been persecuted by the Hitler regime<sup>7</sup>, which attempted a complete genocide, about 70,000 German Sinti and Roma are living in the country today. However, large numbers of Roma are refugees from Kosovo. Since the end of that war, they are no longer accepted as legal refugees, and many are deported each year, or are in danger of being deported<sup>8</sup>.

Jews have been living on the territory of contemporary Germany for about 1700 years. In 1933, about 515,000 Jews were living in the country. After the Holocaust, which killed around 6 million Jews, only 20,000 to 30,000 remained in Western Germany. In the German Democratic Republic, only a few Jews remained, and their communities gradually disappeared.

Since 1991, Germany admits Jews and their relatives from the former Soviet Union as so-called *Kontingentflüchtlinge* (quota refugees), which has led to considerable growth of the Jewish community, mainly due to immigration from Russia.

As of 2005, the population of Jews in Germany numbered around 105,000, most of whom are immigrants from the former Soviet Union and their descendants. Life in the communities reflects a growing diversity – from orthodox to liberal – of Jewish life in Germany. However, anti-Semitism has been growing again to a threatening extent. In addition, anti-Semitism within certain immigrant communities, especially the Muslim community, has been increasingly discussed in recent years.

In the past decade, debates about immigrants in general and Turks in particular have been supplemented by an overlapping discourse on Muslims as ‘problematic.’ Apart from rising anti-Semitism, other phenomena, supposedly specific to Muslims, such as forced marriages, headscarves or homophobia, are more or less continuously circulated within the public sphere. To the general tendency of culturalising social issues has been added the specific issue of religiosity, namely that of Muslims. Also populist and extremist groups, especially on the Internet, are increasingly dominating the debate and inciting and supporting anti-Muslim attitudes within the public perception.

### Labour migrants

Since the labour recruitment in the 1960s and early 1970s, the growing amount of immigrants from rural areas of Turkey and other countries has been one of the major sources of cultural and/or religious diversity. In the early years of labour migration the immigrants were mainly seen as workers, who were to remain for a limited time, but who had similar interests with the rest of the working class in Germany and often joined the same worker’s unions. At the same time, although in a fragile situation in general, the immigrants were important for the German economy and thus had a certain power to have their basic needs met.

The official end of labour recruitment in 1973, however, restricted the former labour migrants from travelling freely back and forth. Many responded by having their families – most of them from rural areas in Turkey – join them in Germany. Even if both German politicians and the labour immigrants expected the situation to be temporary, only half of the four million migrants actually left Germany. Due to this change in the character of migration, the so-called ‘guest-workers’ moved out of the

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<sup>7</sup> The National Socialists defined also Roma and Sinti as an ‘inferior foreign race’ (*minderwertige Fremdrasse*) and murdered hundreds of thousands of them systematically with the aim of a complete genocide. The persecution of Roma and Sinti is therefore included in the term Holocaust or named the Roma Holocaust.

<sup>8</sup> Referring to dpa the German Federal Minister of the Interior Thomas de Mazière had agreed upon the repatriation of about 14,000 Kosovars with his Kosovan counterpart Bajram Rexhepi. Around 10,000 of the persons concerned are Roma, who will be gradually repatriated. Newspaper articles quote de Mazière as saying that Germany is not planning mass evictions but will repatriate around 2,500 people each year. See for example “Abschiebung, Deutschland will 10.000 Roma ins Kosovo abschieben” (Eviction, Germany wants to repatriate 10,000 Roma to Kosovo), welt.de, 18.09.2010, <http://www.welt.de/politik/deutschland/article9721993/Deutschland-will-10-000-Roma-ins-Kosovo-abschieben.html>

workers' accommodations and rented their own apartments, usually in run-down, inner-city areas (Schiffauer, 2005).

The settlement pattern of this time is still visible in the residential distribution of many people with Turkish background today. Formerly industrialised areas – such as Berlin, Cologne, Hamburg, Duisburg, Augsburg-Munich and others – are still centres of Turkish life in Germany, and only very few live on the territory of the former German Democratic Republic. The labour migrants were usually concentrated in certain districts with low rent prices. This phenomenon was encouraged by official policies and supported by public opinion at the time; however today it is widely criticised in public debate as a manifestation of 'parallel societies' (*Parallelgesellschaften*).

In East Germany, the recruitment of foreign workers (from then-socialist states such as Algeria, Hungary or Vietnam) was on a far smaller scale than in West Germany. This might explain why few people with an Italian, Greek or Turkish immigration history live in the eastern parts of the country today (Ohliger and Raiser, 2005: 12).

Like in the housing issue, German politics generally perceived the former labour immigrants as temporary guests long after it became evident that a large proportion did not return with the end of recruitment. Thus policies to foster integration, like language courses or other measures, have been denied for a very long time.

In 1989, Daniel Cohn-Bendit, member of the Green party, initiated with the support of his party the *Amt für multikulturelle Angelegenheiten* (Agency for Multicultural Affairs) in Frankfurt/Main, that aimed to mediate between immigrants and the broader German society and mark the beginning of a change in immigrant politics. Supporters of the concept of multiculturalism at this time criticised the Federal Government for its negation of the actual reality of Germany having become an immigration country through the recruitment of labour migrants. With the memory of World War II and the racist ideology of the National Socialists having led to mass killings of Jews and Roma and other ethnic, religious and political groups, the supporters of the multicultural idea wanted to prevent any form of hostility or even pressure to assimilate directed towards immigrants.

During the late-1970s and 1980s, however, the economic boom in Germany ended and with growing refugee-immigration from war-torn countries and inner-German migration from East to West the attitude towards the immigrants changed and political measures were taken to encourage immigrants to return to their home countries. In light of the large immigration from the former Soviet Union and Eastern Germany as well as refugees and asylum seekers from different war-torn countries, the supporters of multiculturalism became weaker and anti-immigrant rhetoric became stronger in public discourse. The perception of the former 'guest-workers' (*Gastarbeiter*) turned into a 'foreigner' problem, most of these foreigners being Turks.

Apart from the deterioration of public opinion about 'foreigners' in the face of massive immigration in the early 1990s, anti-immigrant rhetoric and violent attacks, Turks and other labour migrants, some of whom had been living in the country for around 10 years at the time of German reunification, mainly suffered from a setback in rights and social participation through the systematic preference for ethnic Germans. Although the resettlers from the former Soviet Union came into Germany as new immigrants and to a large extent spoke no German, they were treated as part of the German '*Staatsvolk*' – the people who were ethnically assigned to the German nation – and preferred in rights and status to the labour migrants, who were seen as foreigners, even if they had been living and working in the country for many years. Unlike refugees and former labour migrants, the resettlers, often called Russian Germans (*Russlanddeutsche*), were granted integrative support, German citizenship and language courses.

This ethnic understanding of nationality and ethnic determination of belonging formed a great barrier to integration and participation for large segments of those immigrants who had come into the country as labour migrants or refugees and could not claim any ethnic German descent.

## Refugees

Another wave of immigration from Turkey was initiated by the second *coup d'état* in 1980 and the civil war in South East Turkey (Schiffauer, 2005). Around 125,000 Turks and Kurds – mainly critics of the regime – came to Germany as asylum seekers. One major group were the Yezidis, who were granted collective asylum on grounds of religious persecution.<sup>9</sup> Kurdish asylum seekers also arrived from the Kurdish areas in Iraq, Iran and Syria. Compared to other Western countries, Germany has the highest share of Kurds amongst its immigrant population.

About 35,000 Assyrians, a Christian minority in Turkey and other countries, fled from Turkey and from Iraq to Germany, where today they have communities mainly in Berlin and Wiesbaden/Mainz (Kleff, 1984).

Another religious minority that has been persecuted in Turkey are Alevis, some of whom regard themselves as Muslims while others, like the secretary-general of the Alevi Community in Germany (*Alevitische Gemeinde Deutschland*) Ali Ertan Toprak<sup>10</sup>, claim acceptance in Germany as a religious community in its own right instead of being regarded as merely a liberal branch of Islam (Facijs, 2007).

Apart from the large Turkish community, there is a considerable Afghan Diaspora in Germany, constituting the largest in Europe. While between the 1950s and the 1970s Afghan immigrants were mainly students and business people, the second wave of immigration consisted of asylum seekers fleeing the Soviet invasion and communist regime after 1979.

At the same time, Vietnamese came to East Germany as labour migrants, having been recruited to substitute for the large numbers of emigrating Germans, and came to make up about two-thirds of its immigrants. They arrived in West Germany mainly as so-called 'boat people' – refugees who had reached Germany by boat. By 1985, they made up the biggest part of the 30,000 quota refugees<sup>11</sup> (*Kontingentflüchtlinge*) who lived in Germany.

However, up to 1989, refugees were not very large in number and caused no major public debate in Germany.

## Asylum seekers

Due to the wars and conflicts in the former Yugoslavia and the Balkans, many refugees arrived in Germany during the 1990s<sup>12</sup> from Albania, Kosovo, the Former Yugoslav Republic of Macedonia and predominantly from Bosnia and Herzegovina, most of them Muslims. There were also many refugees from Afghanistan, who fled the civil war and the take over of the Taliban in the mid-1990s. Other refugees from Asia – with different rights and statuses – were Tamils from Sri Lanka, Ahmadiyas from Pakistan and Sikhs from India.

Additionally - beyond the group of labour migrants from Morocco and Tunisia - most of the Arab immigrants to Germany had arrived as refugees and asylum seekers (Schmidt-Fink 2001).

The rhetoric and violence wielded against immigrants in the early 1990s did not focus especially on Muslims or Turks, but concentrated on asylum seekers and repeatedly challenged their right to asylum by questioning the real necessity of their asylum and supposing mere economic reasons for seeking

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<sup>9</sup> The Yezidis are Kurdish-speaking and practise the Yezidi religion. They come from Turkey, as well as from Iraq and Syria, with small numbers also from Iran.

<sup>10</sup> [http://www.welt.de/welt\\_print/article1023169/Zwischen\\_allen\\_Stuehlen.html](http://www.welt.de/welt_print/article1023169/Zwischen_allen_Stuehlen.html)

<sup>11</sup> A quota refugee is someone who has already been granted a form of refugee status by the destination country before leaving the country of origin.

<sup>12</sup> Applications for asylum peaked in 1991 with more than 430,000.

refuge in Germany. In the media asylum seekers were often portrayed as an uncontrollable flood<sup>13</sup> overwhelming Germany. In 1991, the weekly magazine *der Spiegel* presented a cover that showed Germany as a full boat about to drown in the sea of immigrants and refugees (der Spiegel, 1991) - the 'full boat' became a trope of increasing prominence, invariably reproduced within public discourse at this time.

Probably as a result of this anti-immigrant and especially anti-asylum atmosphere, the early 1990s witnesses several violent attacks and even murders of asylum seekers and other immigrants.

A year after the first attacks on foreign workers and asylum seekers in 1991 in Hoyerswerda, the city of Rostock witnessed the worst attacks against foreigners in Germany since the war, when several hundred right-wing extremists attacked the homes of asylum seekers under the eyes and with the applause of around 2,000 citizens altogether. Most of the people living there were Vietnamese, but also Roma and other asylum seekers from different countries.

At the end of 1992 neo-Nazis attacked houses of Turkish citizens and two girls and their grandmother were killed. Another attack in 1993 against the homes of people of Turkish origin in Solingen killed five people.

Not long after these outbreaks of violence, the Federal Government tightened the immigration laws and restricted the right to asylum in 1993<sup>14</sup>, which led to a substantial reduction of asylum seekers and other immigrants. In 1997/98 net immigration rates were approaching zero because of the return of the refugees from war-torn Bosnia.

At the same time that Germany saw the abolishment of the right to asylum in 1993, however, the reform of immigration law also recognised a right to naturalisation for the first time.<sup>15</sup>

## Roma and Sinti

Apart from Roma labour migrants, who arrived when labour recruitment was at its peak, about 60,000 to 70,000 Roma have been living in German territories for several hundred years. According to the Documentation and Cultural Centre of German Sinti and Roma in Heidelberg, 'Sinti' names that part of the minority that has been living in Western Europe since the late Middle Ages, while 'Roma' refers to those of south European descent. This distinction is only made in the German-speaking countries.<sup>16</sup> A third group of 15,000 to 20,000 people came in the 1990s as refugees from war-torn Yugoslavia.<sup>17</sup>

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<sup>13</sup> The metaphor "The boat is full" (Das Boot ist voll) was introduced by a cover story of the weekly *Der Spiegel*, that was titled "Ansturm der Armen – Flüchtlinge, Aussiedler, Asylanten" (Inrush of the poor – Refugees, Resettlers, Asylum Seekers) on the 9<sup>th</sup> of September 1991 with an image of an overcrowded Noah's Ark representing Germany, which was endangered by a growing "Asylantenflut" (Asylum Flood).

<sup>14</sup> In the so-called *Asylkompromiss* (asylum agreement) in 1993 the basic right to asylum for political refugees was substantially changed in order to limit the number of asylum seekers in Germany. The reformed version of the asylum law mainly gave the possibility to directly repatriate immigrants seeking asylum, if they had been travelling through a third country, that was perceived as safe by the German authorities (*sicherer Drittstaat*). Due to Germany's location within Europe, the only possible way to come to Germany without travelling through third countries regarded as safe is by air. The reform also contained a regulation that allowed an evaluation of the asylum seeker's reasons upon arrival in the airport, and a faster repatriation of rejected asylum seekers. Thus, being granted asylum has since become very difficult.

<sup>15</sup> Hagedorn, H. (2001) "Einbürgerungspolitik in Deutschland und Frankreich" (Naturalisation Politics in Germany and France), in: *Leviathan, ZS für Sozialwissenschaft*, Nr. 1, 39.

<sup>16</sup> See: *Dokumentations- und Kulturzentrum Deutscher Sinti und Roma* (Documentation and Cultural Centre of German Sinti and Roma); <http://www.sintiundroma.de/index/>

<sup>17</sup> Zentralrat der Sinti und Roma, <http://zentralrat.sintiundroma.de/>

In 1995, the German Sinti and Roma gained legal recognition as a national minority<sup>18</sup>, the Charta of the European Council recognized German *Romanes* as a minority language. Their status as a national minority guarantees the continuous support of the Central Council as well as the Documentation and Cultural Centre of German Sinti and Roma.<sup>19</sup> The Documentation Centre together with nine federal state and local associations form the Central Council of German Sinti and Roma<sup>20</sup>, which was founded in 1982 and played an important role in generating recognition of the minority as victims of the Holocaust, in which around 500,000 Sinti and Roma were killed in concentration camps, aiming at their complete extermination. They also advocate for compensation and antidiscrimination.

The law about the Federal Budget (*Bundeshaushalt*) states that since the year 2002, the law about the protection of national minorities and the European Charta for regional and minority languages ensures protection and support for the German Sinti and Roma. The declared aim is to provide for their equal participation in the political and cultural life of Germany, which is in part ensured by governmental support for the Central Council and the Documentation and Cultural Centre of the German Sinti and Roma.<sup>21</sup>

Parts of the Roma population in Germany are thus under specific protection as a national minority. Although even this group has to struggle with discrimination in society and difficulties with equal participation in the labour market, the Roma are hardly ever openly problematised in public discourse as certain other groups are. The reason for this might be the history of mass murder and genocide of Sinti and Roma by the National Socialists, which could cause reluctance among journalists and others to negatively portray this minority group. The public repatriation and open mistreatment that the Roma are suffering in France is therefore hardly thinkable in Germany.

This protection as a national minority, however, only includes Roma with German citizenship and of German descent.<sup>22</sup> Those not included in this status are the refugees from Kosovo, who fled the wars in the early 1990s and in 1998/99 and a third group of migrants from the EU-member states Bulgaria and Romania. While the latter have freedom of movement within the EU, the former refugees have never had an unlimited right to stay and have always lived in danger of repatriation.

In April 2010 the Federal Government signed an agreement with the government of Kosovo, regulating the repatriation of refugees from Kosovo, about 12,000 of whom are Roma and Ashkali- and Kosovo-Egyptians. Based on a UNICEF survey, the families in danger of repatriation have been living in Germany for an average of 14 years, and although almost half of the 12,000 people are children, the well being of the children played no role in the agreement.

Critics of this agreement, including politicians like Erhart Körting, then senator of the interior in Berlin, argue, that the Roma refugees were well-integrated, working, and that their children were socialised in Germany. It would be a great hardship for them to be repatriated to Kosovo, where they could not speak the language and were still highly stigmatised and discriminated against.<sup>23</sup> The UNICEF survey also stated that about 75% of the repatriated Roma children abandoned their school education in Kosovo.

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<sup>18</sup> Other national minorities that have been recognised in Germany since the late 1990s are Danes, Friesians, and Sorbs.

<sup>19</sup> *ibid.*

<sup>20</sup> Zentralrat Deutscher Sinti und Roma; <http://zentralrat.sintiundroma.de/>

<sup>21</sup> Zentralrat der Sinti und Roma, <http://zentralrat.sintiundroma.de/>

<sup>22</sup> Bundesministerium des Innern (2003): Nationale Minderheiten in Deutschland (Federal Ministry of the Interior: National Minorities), 3rd edition, Berlin, 21, <http://www.lebenshaus-alb.de/magazin/002901.html>

<sup>23</sup> *Kleine Zeitung* (2010) Deutschland weist 10.000 Roma aus (Germany is repatriating 10.000 Roma), 18.10. <http://www.kleinezeitung.at/nachrichten/politik/asyl/2484617/10-000-roma-werden-deutschland-den-kosovo-abgeschoben.story>

The German government is however determined to repatriate around 2,500 Roma each year, thereby avoiding the public attention that a mass repatriation like the one in France could attract, but nevertheless gradually carrying out the planned repatriation of Roma families, long resident in Germany.

#### Vietnamese

Similar to the Roma, Vietnamese immigrants and their descendants in Germany have very diverse histories of migration and social situations.

On the one hand, public discourse today often positions people with a Vietnamese immigration background on the opposite side of Turkish migrants on a scale of successful integration and educational achievement. This success is often attributed to their (postulated) greater efforts in education, captured in the latest debate surrounding Thilo Sarrazin, discussed further in chapter 3, who attributed low intelligence to certain immigrants – like Turks – and high intelligence and integration to other immigrants – like Vietnamese and other Asians.

On the other hand, Vietnamese immigrants have gone through difficult times, when their positive welcome in the GDR gave way to rising discrimination and even racist attacks, reaching their peak in the attacks against an asylum seeker's home in 1992 in Rostock-Lichtenhagen, where, among others, hundreds of Vietnamese asylum seekers feared for their lives.

But even today, many Vietnamese – who have been among the groups with the highest numbers of asylum seekers in Germany in the last ten years – have the same problems as other immigrants in terms of language and integration into the labour market.

Additionally there are only very few Vietnamese asylum seekers whose reasons for applying for asylum are accepted by federal agencies, and so the large majority of them are repatriated again.<sup>24</sup> In 2008, almost 1,300 Vietnamese applied for asylum, while the quota of acceptance was 0.1 percent, which means that 99.9 percent must anticipate repatriation, although Amnesty International reports that torture, political imprisonment and capital punishment are widely practiced in Vietnam.

In June 2009, more than 100 Vietnamese from 12 federal states and Poland were deported to Hanoi, which, according to the federal police, was the first mass repatriation since the mid-1990s.

Although Vietnamese are portrayed quite positively in public discourse – especially in contrast to other immigrant groups – their reality in Germany is mainly that of two classes: those who arrived in the former GDR and who often had higher educational degrees, many of whom managed to make a living in Germany in spite of difficult conditions, and those who have been coming as asylum seekers since the fall of the communist regimes and who are often living as non-accepted asylum seekers or undocumented migrants.

While the former are portrayed as hard-working, education-oriented and well-integrated immigrants – thus contradicting the criticism against failures of German integration policies – the latter are portrayed as cigarette smugglers and petty criminals, misusing the asylum laws, who are rightly repatriated.

#### Inner-German migration and ethnic German resettlers

Even if emigration to Western Germany was not easy and the application for it could take 10 years and deteriorate the social situation of the person willing to leave the GDR, between 1961 and 1988 around

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<sup>24</sup> Gräßler, B. (2009) *Vietnamesische Zweiklassengesellschaft in Deutschland (Vietnamese Two-Class-Society in Germany)*, *Deutsche Welle-World*, 05.06., <http://www.dw-world.de/dw/article/0,,4305014,00.html>

383,000 people managed to migrate to the Western parts of Germany, most of them through the exchange of prisoners – mostly for financial contribution from the FRG – or through the refusal to return from a legal visit to the FRG. In 1989, the year of the German reunification, around the same number of people – 344,000 – left the GDR for West Germany (Schroeder, 1988).

Also, descendants of ethnic Germans who lived in Eastern European countries – most of them through migration and displacement during the course of World War II – have had the right since 1950 to immigrate to Germany as members of the German nation (*Volkszugehörige*) and are directly given German citizenship. Between 1950 and the mid-1980s about 1.5 million resettlers came to Western Germany, mainly from the former Soviet Union. At the end of the 1980s the numbers of resettlers, together with inner-German migrants and asylum seekers, grew strongly (Bundeszentrale für politische Bildung, 2005). Somehow this process of large immigration, and the quite successful integration of large numbers of resettlers, could be viewed as a positive example for dealing with challenges of diversity. The growing economy after the war probably contributed to this positive integration to a large extent.

Although in public and political discourse the ethnic German resettlers from the former Soviet Union were often perceived as less problematic in terms of integration and assimilation than immigrants without a German ‘ethnic background,’ in the mid-1990s, about 80 percent had a Russian instead of German socialisation.<sup>25</sup>

In spite of their many legal advantages in comparison to other immigrants, the resettlers were also confronted with high rates of unemployment – especially in the field of unskilled work – and with the non-acceptance of many of their professional and academic certificates.

A 2007 analysis from the Institute for Research about the Labour Market and Professions of the Federal Agency for Employment (*Institut für Arbeitsmarkt- und Berufsforschung der Bundesagentur für Arbeit*) showed that the integration of resettlers into the labour market had to a certain degree been even less successful than that of other immigrants, especially among people with higher education.<sup>26</sup>

In recent years the so-called ‘Russian Germans’ have repeatedly been debated as problematic, and as overrepresented in unemployment and criminality.<sup>27</sup> In some debates it can be observed that ‘German resettlers’ turn into ‘Russian Germans’ as soon as problematic aspects are being discussed.

One example of this identity labelling in media coverage could be observed in 2009 after the murder of the young Egyptian woman in a courtroom, killed by a young German resettler with right-wing extremist political views. Not only was the Islamophobic motivation of the murderer not mentioned in the media until about a week after the killing, but also, the perpetrator was very quickly named a ‘Russian German.’ In the aftermath of the murder, the criminality and right-wing views of Russian Germans were heavily discussed in the media, while the growing Islamophobia in mainstream society was – in an evidently dis-burdening manner – almost entirely blended out.

The inner-German migration from the five new federal states to the old federal states in the former West also produced debates and tensions. The pejorative naming of Germans from the former Eastern parts as ‘*Ossis*,’ along with a certain negative stereotyping, can be seen as indications of a culturalising of the German reunification process. Shortly after the reunification of Germany, socio-economic differences between the former Western and Eastern parts were perceived more and more in socio-cultural terms and mutual stereotyping took place. This culturalisation process remains salient: a

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<sup>25</sup> Die Zeit (2006) *Fremde Heimat Deutschland* (Foreign Home Germany), *Die Zeit*, 19.10., <http://www.zeit.de/2006/42/Russlanddeutsche>

<sup>26</sup> Institut für Arbeitsmarkt- und Berufsforschung der Agentur für Arbeit – IAB (2007) Spätaussiedler mit höherer Bildung sind öfter arbeitslos (Late resettlers with higher education are unemployed more frequently), Kurzbericht, Nr. 8, 02.04., <http://doku.iab.de/kurzber/2007/kb0807.pdf>

<sup>27</sup> Die Zeit (2006) *Fremde Heimat Deutschland* (Foreign Home Germany).



German woman who had been denied a job with the (unintentionally uncovered) remark on her application that she was an 'Ossi,' sued for discriminatory hiring practices. In order to be regarded before the law as 'discrimination,' she had to appeal to the court to accept the category 'Ossi' as an ethnicity – a claim that the court ultimately rejected.<sup>28</sup> Thus, socio-economic differences and difficulties are in some cases portrayed and perceived as fundamentally cultural or – in the case of Muslims – religious. This so-called culturalisation of social relations and challenges can be frequently observed in German public discourses, not only concerning immigrants from other ethnic backgrounds, but even so-called ethnic Germans who have historically belonged to different nations and political systems.

#### EU-foreigners

Immigrants from EU countries – like the Poles, who, after people of Turkish origin, make up the second largest group of immigrants in Germany today – practically disappeared from the public debate and consciousness as soon as their countries joined the European Union, like Poland did in 2004. One might conclude that a corollary of disappearing from the lists of illegal immigrants is vanishing from public attention. This leads to an interesting question: could a future joining of Turkey to the EU have a similar affect on Turks in European countries, especially Germany?

#### Jews

During the Holocaust the Hitler regime killed between 5.6 (Pohl, 2003:109) and 6.3 (Benz, 1996) million people from many different countries, all of whom the National Socialist regime defined as Jews. This historically unique genocide aimed at exterminating all European Jews.

In the 1950s and 1960s, about 20,000 to 30,000 Jews lived in the Federal Republic of Germany, most of them old and sick people, unable to emigrate to the US or Palestine.

Those who stayed in Germany or came back after the war were under considerable pressure from within the community to justify their decision to stay in the country of the perpetrators after surviving the Holocaust (Schoeps 1991). Especially in Eastern Germany the small number of Jews constantly diminished from 3,500 in 1945 to 350 at the end of the GDR. The Jewish community was also quite elderly. After the fall of the Eastern regimes and the German border since 1989, and after the reunification in 1989, about 28,000 Jews were members of the state-recognized Jewish communities, and another 20,000 to 30,000 Jews were non-members.

In 1986 the historian Ernst Nolte initiated an open debate about anti-Semitism, the so-called historians' dispute (*Historikerstreit*), with his assumption that the German concentration camps had been a reaction to the mass destructive Gulags of Stalin. The philosopher Jürgen Habermas countered these assumptions, which he called "apologetic tendencies within German historiography" (Habermas, 1986). Habermas concluded from this debate that "the only patriotism that does not alienate us from the Western world is a constitutional patriotism (*Verfassungspatriotismus*)" (Habermas, 1987).

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<sup>28</sup> The ethnologist Thomas Bierschenk argued that the understanding of what makes an ethnicity (common language, tradition, religion, clothing and food) that was used in court was outdated and that the actual definition of 'ethnicity' being a strong common 'we'-sense of the group, together with a symbolic boundary drawing towards other groups, could have helped the woman win her case in court (Interview in the German weekly Der Stern, 23.04.2010: Das Wir-Gefühl der Ostdeutschen, <http://www.stern.de/panorama/ethnologe-widerspricht-ossi-urteil-das-wir-gefuehl-der-ostdeutschen-1561003.html>) Another anthropologist, Urmila Goel (Goel, 2010) argued, that both the concepts of ethnicity and race were misplaced in this context, but forced on the victim, because her actual specific reason of discrimination, being an underprivileged position of people from the former Eastern parts in Germany towards the West, was not accounted for within the law against discrimination. Both scientists appealed for a new legal definition.

In 1991 the law mandating a refugee quota (*Kontingentflüchtlingsgesetz*) was passed, which, among other rights, guaranteed certain groups of immigrants the status as refugees, among them Jewish immigrants from the former Soviet Union. Within a span of 20 years, around 220,000 people came into Germany through Jewish immigration.<sup>29</sup> The German Jewish community saw only about half of these as Jews in the religious sense, while the others were people with Jewish families, but without a Jewish mother. Still, the latter had often been victims of anti-Semitism in the former Soviet Union, mainly because of their Jewish names. Their non-acceptance as parts of the Jewish community in Germany led to some inner conflicts.<sup>30</sup> Through this immigration of Jews and their families from Russia, the German Jewish community has grown to four times its 1989 size, numbering around 120,000 members today. In many cities new communities have been founded and new synagogues have been built.

Although Jewish immigration was encouraged after World War II, most of the immigration advantages for Jews were abolished with the EU-membership of the Baltic countries from the 1<sup>st</sup> of January 2005. The new regulations practically stopped Jewish immigration. In 2009, only 1,088 immigrants came to Germany, again 24 percent less than the year before.<sup>31</sup>

Like in other European countries, anti-Semitic violence in Germany grew after 2001. Anti-Semitism debates have centred on the one hand around the demand to put an end to the debate about the past and German guilt (*Kollektivschulddebatte*)<sup>32</sup>, and on the other around the Israeli-Palestinian conflict.

Also, anti-Semitism of the immigrant – in particular the Muslim – community has been strongly debated in recent years, and various conferences have been organised on this issue.<sup>33</sup>

On the other hand, discrimination against Muslims, or Islamophobia, is compared to anti-Semitism and stereotypes against Jews more and more, even if not to the specific and unique cruelties of the Holocaust.<sup>34</sup>

The two minorities have on the one hand problematic relations towards each other, because of mutual prejudices and conflicting views about the Israeli-Palestinian conflict. On the other hand, they share certain interests and issues as two non-Christian minority religious communities; especially as far as religious freedom and religious group rights are concerned.<sup>35</sup>

<sup>29</sup> Hagalil (2009) Mauerfall 1989, 20 Jahre jüdische Zuwanderung nach Deutschland (Fall of the Wall 1989, 20 years of Jewish Immigration to Germany), 02.10., <http://www.hagalil.com/archiv/2009/10/02/kontingent-1/>

<sup>30</sup> see: Bodemann, Y. M. & Bagno, O. (2010) "In der ethnischen Dämmerung. Die Pfade russischer Juden in Deutschland." (The ethnic dawn: The pathways of Russian Jews in Germany), in: Yurdakul, G. & Bodemann, Y. M.: *Staatsbürgerschaft, Migration und Minderheiten; Inklusion und Ausgrenzungsstrategien im Vergleich*, (Citizenship, Migration and Minorities: Inclusion and Strategies of Exclusion compared), Wiesbaden, 161-181.

<sup>31</sup> In 2008 1,436 came to Germany; see: BAMF (2010) Entscheiderrundbrief des Bundesamtes für Migration und Flüchtlinge (Newsletter of the Federal Agency for Migration and Refugees), 5.

<sup>32</sup> Critics of Daniel Goldhagen's book "Hitler's Willing Executioners" (Hitlers willige Vollstrecker) said that the author pleaded for a collective German guilt for the crimes of the Nazi regime, which the author denied.

<sup>27</sup> The Centre for Research about anti-Semitism in Berlin (*Zentrum für Antisemitismusforschung*), an important institute in the academic work about anti-Semitism, organised a conference in 2005 about anti-Semitism of Islamists, and the Federal Agency for the Protection of the Constitution (*Bundesamt für Verfassungsschutz*) organised a conference about the question of a "New anti-Semitism." See: Gessler, Ph. (2005) Die Juden als Weltfeinde (The Jews as Enemies of the World), *taz*, 15.12., <http://www.taz.de/1/archiv/archiv/?dig=2005/12/15/a0159>

<sup>34</sup> In 2009 the Centre for Research on anti-Semitism organised a conference called "Feindbild Jude, Feindbild Muslim," comparing and analysing different and similar ways of stereotyping of the minority groups.

<sup>35</sup> A striking example for this common interest as religious minorities has been displayed in June 2012, when the regional court of Cologne ruled, that the circumcision of Muslim and Jewish young boys was a bodily harm and the physician, who carried out a respective operation would have to be fined by the law. In reaction to it both the Muslim and the Jewish community, and even parts of the Christian Churches, have spoken out against the decision as a violation of religious freedom. Although the voices of the Muslim community have been displayed in the media as well, it was especially the outrage of the Jewish representatives that has caused a major debate, especially as they saw the Jewish life in Germany in

Especially Muslim representatives increasingly point towards similarities in the manner of discrimination of the two minorities, partially to give their demands for minority rights and anti-discrimination more weight and attention. Jewish representatives take up this new solidarity in different ways. Even if certain parts of the Jewish community reject this approach of Muslim representatives as instrumentalising, others try to establish new bonds of solidarity.<sup>36</sup>

The heightened debate about Muslim anti-Semitism – which has to a certain degree been more prominent than the debates on the anti-Semitism of ethnic Germans – can be regarded as part of the transformation of Muslims from victims of discrimination to perpetrators and thus from the ones to be tolerated to the intolerant ones, almost unable to claim tolerance for themselves.

Comparisons of (early) anti-Semitism<sup>37</sup> with rising Islamophobia in German and European society, on the other hand, return Muslims to the position of objects of (in-) tolerance and through this comparison with anti-Semitism points to continuities in German intolerance towards religious minorities.

## Muslims

A major turning point for public perception of immigrants was – as in many other countries – the 2001 terror attack on the World Trade Center. The public perception of the former labour migrants – earlier referred to mainly as ‘Turks’ – transformed into ‘Muslims’ and the two markers of difference – often deployed in an exclusionary way – became interchangeable and also partially reinforced one another. With the concentration on the religious background of the former immigrants, the problems grew more and more culturalised and essentialised. The factor of class – which plays an important role in the analysis, as the former labour migrants were almost exclusively recruited from working classes – was almost completely blended out in the public discourse after 9/11.

As this culturalising of social problems went on with every new issue attributed to the Muslim community – arranged/forced marriages, homophobia, anti-Semitism, and others – the stigmatisation and exclusion of this group became less and less socially vexed. The concept of multiculturalism – although never really strongly influencing German politics – was harshly criticised as too tolerant towards cultural groups, equating this tolerance with naïve indifference.

At the same time, a major shift in the use of ‘tolerance’ regarding Muslim groups and individuals can be observed: intolerance towards Muslims and other immigrant groups – especially in light of the early nineties’ violent attacks and murders of immigrants – had always been stigmatised and easily connected to right-wing extremism and National Socialism, with Muslims and other immigrants as their potential victim. However, after 9/11, Muslims were increasingly perceived as the perpetrators instead of the victims of intolerance. While in the 1990s mainly right-wing extremists represented the intolerable in society, in the years after 2001 Muslims came to occupy this position more and more. Thus border-drawing in German society is increasingly done against the Muslim ‘other,’ which is forthwith perceived as intolerant and his/her right to being tolerated is at the same time challenged. This positioning of Muslims as the intolerant other can be seen as fulfilling diverse functions in German society, among them a certain relief for ethnic Germans of a kind of post-war burden. Muslims became the locus of different negative aspects in society – like anti-Semitism, homophobia

(Contd.) \_\_\_\_\_

danger and Pinchas Goldschmid, president of the European rabbis, even called the decision the “possibly gravest attack since the Holocaust” (<http://www.spiegel.de/panorama/justiz/europaeische-rabbiner-kritisieren-koelner-urteil-zu-beschneidung-a-844100.html>).

<sup>36</sup> Gökce Yurdakul distinguished mainly between the ‘sceptics’ and the ‘allies’ among the Jewish representatives’ reactions towards the Muslims’ approach. See: Yurdakul, G. (2010) “Juden und Türken in Deutschland” (Jews and Turks in Germany), in: Yurdakul & Bodemann: *Staatsbürgerschaft, Migration und Minderheiten* (Citizenship, Migration and Minorities), Wiesbaden, 127-159.

<sup>37</sup> See also Schiffer, S. (2009) *Antisemitismus und Islamophobie; ein Vergleich* (Anti-Semitism and Islamophobia; A comparison), HwK-Verlag.

or disadvantaging of women – which had been attributed to certain non-Muslim Germans before. This disburdening capacity even went so far as to equate Muslims with fascism, as the word-construction Islamo-Fascism indicates, which is widely used by anti-Islamic populism and even within mainstream media<sup>38</sup>. With the widely held conviction that Muslims represent intolerance, issues of their exclusion and discrimination got blurred and the acceptance of their individual and group rights became a point of major debate. Also, essentialising discourses blurred the real reasons for social problems, while tolerance towards the Muslim minority generally diminished.

However, Turks and people with Turkish background are not the only Muslim groups – and many of them are not Muslims at all. Nor are they the only ethnic minority in Germany that has to fight for integration and inclusion. But even apart from the religious and cultural spheres, many (former) immigrants share the same obstacles and challenges that large parts of the German white socially deprived segments of the population face – a fact that is rarely taken into consideration within debates and political measures. Instead, the heightened media and political concentration on Muslims in the last decade has drawn a lot of attention and efforts for integration away from many other vulnerable groups that transcend ethnic categories.

### *Tolerance Discourses in Germany*

The concept of tolerance is increasingly used in German public discourse about immigrants and integration. By far, the most heavily discussed issues concerning diversity challenges in contemporary German society concern Muslims and Muslim religious practices. The most widely used concept within this discourse is the concept of integration. Government figures mainly talk about integration as the key concept to solving problems in society, which are portrayed as the result of cultural and/or religious pluralism, mainly that of Muslims. Indeed, most issues surrounding the Muslim community in Germany are connected to their cultural and/or religious difference, even if socio-economic and other factors would in many cases be the most relevant frames of reference. Government officials tend to accentuate the duty of Muslim individuals and groups to work for their own integration, though they do also frequently mention the failure of politics to look at issues of integration for many years.

As was made evident when the Federal Chancellor Angela Merkel recently declared that attempts at multiculturalism had failed, and at the same time demanded that immigrants expend more effort towards education and integration<sup>39</sup>, minorities are often portrayed as most responsible for their own integration. The slogan ‘supporting and demanding’ (*Fördern und Fordern*)<sup>40</sup> is at the core of integration politics of Merkel’s party, the CDU, but in practice the demanding part seems to be more emphasised. Against this backdrop, we observe increased use of the concept of tolerance in the discourse on Muslims and/or integration.

There are generally a wide variety of interpretations and ways to use the concept of tolerance. It can, for example, be seen as the opposite of discrimination<sup>41</sup>. Recent discourse and politics show, however, that it is more and more concerned with the limits of tolerance and with drawing lines within society between those who are to be tolerated, and those who should not be tolerated.

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<sup>38</sup> After the terror attacks in London in 2006, the German weekly *Die Zeit* titled “Die Offensive des Islamo-Faschismus” (The attack of Islamo-Fascism), *Die Zeit* (2006) Terror: Die Offensive des Islamo-Faschismus, *Die Zeit*, 31.07., [http://www.zeit.de/2004/13/01\\_leit1](http://www.zeit.de/2004/13/01_leit1)

<sup>39</sup> <http://www.ksta.de/html/artikel/1287045499164.shtml>

<sup>40</sup> <http://www.cdu.de/doc/pdf/090817-politik-az-integration-zuwanderung.pdf>

<sup>41</sup> One example of this way of using it could be the name of a project of the Ministry of the Interior, called *Bündnis für Demokratie und Toleranz* (Union for Democracy and Tolerance), which supports among others projects against racism and rightwing extremism. <http://www.buendnis-toleranz.de/cms/ziel/423616/DE/>

The slogan ‘no tolerance for intolerance’ is widely used in public debates around Muslims. One striking example is an extensive dossier by Ulrich Greiner in the prestigious weekly *Die Zeit* in January 2010. Under the heading “*Islamismus: Toleranz für die Intoleranz?*” (Islamism: Tolerance for Intolerance?) the author reminds us of a recent controversial media debate about Islam, Islamism and Islamophobia, where different journalists had issued conflicting views on how to frame the debate on Muslims and Islam in the media. The author also takes a stand within this debate, arguing for a deep cultural conflict between Islam and the West and cautioning the reader against too much tolerance in the face of violent Islamist threats.<sup>42</sup> This emphasis on the limits of tolerance is intended to call for a vigilant awareness of the dangers for society, dangers that could be overlooked by too much tolerance. Even the defenders of the concept of multiculturalism, like Daniel Cohn-Bendit, the founder of the *Amt für multikulturelle Angelegenheiten* in Frankfurt, caution against “naïve” forms of multiculturalism, that could lower human rights standards in society. Heiko Henkel explains how Cohn-Bendit and also Habermas draw a line of tolerance against what they call ‘fundamentalism’ or ‘fundamentalist immigrant cultures’ (Henkel, 2008). This association of a society putting itself in danger by tolerating the intolerant is a strong image within German discourse, because it recalls an important part of national history; it was precisely the Weimar Republic’s tolerance even towards its own enemies that boosted the rise of the Nazi regime. For this reason too much tolerance is seen as a danger to democracy. The Weimar Republic was perceived as too weak because of its openness, and the lesson learnt from this is often summed up in the slogan “no tolerance for intolerance”.<sup>43</sup>

For analysing the political function of the use of tolerance, Wendy Brown has provided a very useful concept, which regards tolerance as a “political discourse and practice of governmentality”, rather than a “transcendent or universal concept, principle, doctrine or virtue.” (Brown, 2006:4) In the German context, the increased use of the concept of tolerance works hand-in-hand with the general political approach towards the inclusion of others, framed as integration. Rather than discussing structural inequalities and discrimination against certain immigrant groups as a major barrier to participation and inclusion, the integration debate positions the minorities vis-à-vis the majority and the state in a situation of ‘the others’, who are to be supported, and also challenged, but who are not framed as an integral part of the society. The otherness of non-ethnic Germans, mainly Muslims, is thus reproduced and reaffirmed through the discourse on integration. The concept of tolerance supports this process of othering, at the same time that it positions the tolerating side above those who are to be tolerated or not tolerated – constructing both borders and hierarchies between in- and out-groups. The way, how this process of constructing a group as the significant other is further discussed also in chapter 3. Especially the role this other plays for the formation of a national identity is elaborated on in further detail.

How are claims of toleration made and by whom? Under which conditions is toleration granted or withheld? In which cases is something more than tolerance – namely, respect or recognition -- demanded for specific groups? Most of the debates turn on a variety of claims by Muslim groups for recognition and acceptance of specific religious practices.

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<sup>42</sup> <http://www.zeit.de/2010/05/Islam>

<sup>43</sup> Prof Dr. Carlo Schmid (SPD), who is among the fathers of the German constitution (Grundgesetz), declared in a speech before the plenary of the parliamentary council (Plenum des Parlamentarischen Rates) the 8<sup>th</sup> of September 1948: “*Demokratie ist nur dort mehr als ein Produkt einer bloßen Zweckmäßigkeitseinscheidung, wo man den Mut hat, an sie als etwas für die Würde des Menschen Notwendiges zu glauben. Wenn man aber diesen Mut hat, dann muss man auch den Mut zur Intoleranz denen gegenüber aufbringen, die die Demokratie gebrauchen wollen, um sie umzubringen.*” (Democracy is only then more than a product of a mere decision out of political convenience, if one has the courage to believe in it as something that is essential for human dignity. If one, however, has this courage, one also has to get up the nerve for intolerance towards those who want to use democracy in order to murder it.) Translation done by the author of this text. [http://www.derhistoriker.de/deutsch/04+Rede\\_Parlamentarischer\\_Rat\\_von\\_Carlo\\_Schmid\\_08-09-48.pdf](http://www.derhistoriker.de/deutsch/04+Rede_Parlamentarischer_Rat_von_Carlo_Schmid_08-09-48.pdf)

The demands made by Muslim individuals and groups themselves are generally not framed in terms of toleration, but in terms of granting equal rights, especially the right of freedom of religious expression, which is perceived as both a fundamental right of the German constitution, the *Grundgesetz*, as well as a fundamental human right. The claims are thus not made as demanding tolerance towards something alien to German society and culture but as the granting of basic rights, which is perceived as an integral part of Europe's basic values. Muslim groups often especially refer to the German *Grundgesetz*, which they perceive as a guarantor of their freedom of religious expression. When Aygül Özkan was nominated Minister of Social and Integration Issues of the federal state Lower Saxony in April 2010 by the conservative party CDU, it was widely presented as the first nomination of a Muslim as Minister of a German federal state, and in this context as an act of tolerance. One of the major Muslim organisations, however, spoke about the nomination as "a sign of increasing normality and acceptance that all offices and positions of this country are also open for Muslims, just as for all other religious communities (...)"<sup>44</sup>

But even if the minorities themselves are not arguing from outside but from inside the society and its legal institutions, public figures and media perennially refer to these claims as issues of toleration or non-toleration. After Özkan incited a controversy within her own party and beyond by stating in an interview with the weekly *Focus*<sup>45</sup> that, herself following a secular rather than a religious view, she would prefer public schools to be free of all religious symbols, including headscarves but also crucifixes, a local newspaper printed a story titled "*Aygül Özkan – Der schwierige Start einer Muslima*" (Aygül Özkan – The difficult start of a Muslim woman). The paper argued that the nomination of Özkan, which had been intended as a sign of tolerance and cosmopolitanism, was quickly putting these same values to the test.<sup>46</sup>

This can be seen as a clear example of what Wendy Brown calls a discourse of depoliticization, in which "tolerance can function as a substitute for or as a supplement to formal liberal equality or liberty; it can also overtly block the pursuit of substantive equality and freedom" (Brown, 2006:9). By using the concept of tolerance in the context of Muslim individuals or groups being granted rights, that are anyway guaranteed to them by the constitution, the issue is taken out of the realm of liberal equality or liberty and into the area of what Rainer Forst calls "allowance tolerance", which – in contrast to his perception of "respect tolerance" – marks the relation between a powerful entity, in this case the political and social majority, and a less powerful minority, which is granted tolerance, but can also lose it by the will of the tolerant group (Forst, 2003:42). The precondition for the granted tolerance in this conception is generally the fact that the tolerated group does not challenge the given distribution of power.

In this sense it can be suggested that tolerance talk undermines the 'pursuit of equality and freedom' that Muslim groups and activists aim for, and reaffirms unequal distributions of power between different (ethno-religious) groups in society.

The discourses on tolerance and integration help not only to draw borders between an ethnic German in-group and out-groups with immigrant backgrounds, but also to differentiate between those parts of the perceived immigrant population that are more easily tolerated, and those towards whom tolerance has to be limited. The effect of border drawing of tolerance talk is thus both differentiating between in-

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<sup>44</sup> Translation by author; German original: „Es ist im Weiteren auch ein Zeichen von zunehmender Normalität und Anerkennung, dass auch Muslimen genau wie allen anderen Religionsgemeinschaften alle Ämter und Positionen dieses Landes offen stehen (...)“; KRM (Koordinationsrat der Muslime in Deutschland) (April 2010): "Ein Schritt in die richtige Richtung" (A step in the right direction), <http://www.igmg.de/nachrichten/artikel/2010/05/03/ein-schritt-in-die-richtige-richtung-krm-begruesst-ernennung-der-neuen-sozial-und-integrationsministerin.html>

<sup>45</sup> Focus (2010) Aygül Özkan: Niedersachsens neue Sozialministerin gegen Kruzifixe (Aygül Özkan: The new Minister for social affairs of Lower Saxony against crucifixes), *focus online*, 24.04., [http://www.focus.de/politik/deutschland/ayguel-oezkan-niedersachsens-neue-sozialministerin-gegen-kruzifixe\\_aid\\_501716.html](http://www.focus.de/politik/deutschland/ayguel-oezkan-niedersachsens-neue-sozialministerin-gegen-kruzifixe_aid_501716.html)

<sup>46</sup> <http://www.pressemitteilungen-online.de/index.php/ayguel-oezkan-der-schwierige-start-einer-muslima/>

and out-groups, but also within out-groups between those who are (more) easily tolerated and those who are grudgingly tolerated, or who should not be tolerated at all.

As the granting or denial of tolerance, and with it the granting or denial of certain legal rights, is within the discourse often linked to the (in-) tolerance of the respective group, the perception of a group as (in-)tolerant has substantive effects. Within this discourse, a certain tendency can be observed to regard secular Muslims and immigrants as more tolerant than religious ones, and at the same time to favour individuals over groups. This is quite symbolically reflected within the German Islam Conference, where the Minister of the Interior invites certain religious Muslim organisations, but limits their weight within the discussions through an even higher amount of participants, who are not organised and many of whom are not religious or are even outspoken critics of Islam.<sup>47</sup>

However, not all religious groups are perceived as equally tolerant or intolerant. While the major Sunni organisations are portrayed with criticism and often viewed as backward and patriarchal<sup>48</sup>, other communities, such as the Alevi organisations, are perceived as tolerant and liberal. The Alevi claims for specific religious instruction at public schools have thus caused far less resistance by public officials in different federal states than Sunni-Muslim instruction at schools has been causing for many years.<sup>49</sup>

Certain other ethno-religious minorities like the Jews or the Roma are today generally not discussed as receivers of tolerance, as tolerance talk would be viewed as absolutely inappropriate towards groups who have been major victims of the Nazi regime and the Holocaust. There have, however, been recent debates about Jews as victims of a rising anti-Semitism, which has lately mainly been portrayed as a phenomenon amongst Muslims, as described above in more detail. Another recent debate, in which prominent Jews, too, have raised their voices, is the debate about rising Islamophobia. There have been different public representatives who have opposed this perceived social development.<sup>50</sup>

The positioning of representatives of the Jewish community is of specific importance within the debate about Islamophobia, because of the unparalleled German history of persecution and extermination of Jews during the Holocaust.

As the authors Bodemann and Yurdakul argue, tolerance was a term that in Germany “invariably evoke(d) the Jewish question and anti-Semitism” (Bodemann, 2008; 76). In the view of Bodemann

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<sup>47</sup> The former general secretary, now chairman of the Central Council of Muslims in Germany, Ayman Mazyek, declared, that those participants, who had a renunciatory attitude towards Islam, had been favoured even more strongly in the new composition of the Islam Conference in 2010, which in the end made a debate at eye level between Muslim communities and the state impossible. <http://islam.de/15570.php>.

<sup>48</sup> See for example the statement of Lale Akgün, Commissioner on Islam of the Social Democratic Party (SPD), who commented the unification of four of the biggest Muslim umbrella organisations in Germany under the roof of the Coordination Council of Muslims in Germany, that the four organisations together would represent a very conservative Islam, which would leave no room for liberal views any more. [http://www.welt.de/politik/article805367/Neuer\\_Dachverband\\_als\\_zu\\_konservativ\\_kritisiert.html](http://www.welt.de/politik/article805367/Neuer_Dachverband_als_zu_konservativ_kritisiert.html)

<sup>49</sup> One major reason for the public resistance to accept the major Sunni organisations as a religious community – the basic pre-condition for giving religious instruction at public schools – has for many years been the fact, that they represented only a minor part of the whole Muslim population in Germany. The same holds true however for the Alevi communities but has never been presented by politicians as a reason against Alevi religious instructions. See for example: <http://www.taz.de/1/debatte/kommentar/artikel/1/aleviten-machen-schule/>

<sup>50</sup> The general secretary of the Central Council of Jews in Germany Stephan Kramer has together with the Ayman Mazyek, then general secretary of the Central Council of Muslims in Germany visited the family of the murdered Marwa El Sherbini in 2009 in Dresden and cautioned about rising Islamophobia in German society (<http://islam.de/12733.php>).

The former vice president of the Central Council of Jew, Michel Friedman, recently demanded ‘no tolerance for intolerance’ pointing at the debate around the anti Muslim arguments of the then board member of the Federal German Bank, Thilo Sarrazin, and called the latter a ‘hate preacher’ (<http://www.fr-online.de/politik/friedman-nennt-sarrazin--hassprediger-/1472596/4596926/-/index.html>).

and Yurdakul “the ideological labour of Jews in German society today encompasses the role of ‘guardians of memory’, not merely on their own behalf but also on the behalf of their German surroundings” and their mere presence in contemporary Germany was “‘proof’ that Nazism has been overcome and that German society is now truly democratic and tolerant of outsiders.” (Bodemann, 2008; 78) As can be seen from this quotation, however, Jews are still always in danger of being perceived as outsiders; such adjustments are made more rhetorically than in practice, made evident by the frequent reference by German politicians to a ‘Christian-Jewish’ heritage of Germany and Europe. In their article *Learning Diaspora: German Turks and the Jewish Narrative* Bodemann and Yurdakul also describe how Turks and other Muslim groups in Germany increasingly refer to the Jewish history in Germany as well as to the handling of Jewish religious issues today – like the slaughtering of animals - in order to have their own claims for acceptance of religious difference met as well as their fear of Islamophobic developments better heard in German society.

Other immigrant groups like the Poles, or even more the ethnic German resettlers, have largely disappeared from public debates. It can be suggested that they are more and more becoming part of the ‘we-group’, maybe in line with the development of the stronger integrative character of the EU towards EU-citizens, which would have to be further investigated. It can, however, be observed that Poles are no longer debated in the context of tolerance or integration. The best example for the different debates is the German soccer team. The majority of the players in the team have an immigration background. While players with Polish background are, for example, not seen as ‘others’ any more, players with Arab or Turkish origin are heavily debated in regard to integration. In the positive sense, the team was portrayed around the World Cup in South Africa as a sign of an inclusive and multicultural Germany, while in the negative sense a politician of the far right called the national player with a Turkish background, Mesut Özil, a ‘passport-German’<sup>51</sup>.

However even mainstream media made a difference between the players with different ethnic backgrounds by according Özil a prize for integration at the Bambi award 2010 in Potsdam, which was perceived by some as a sign of exclusion, as it expressly marked the Turkish background of the German player<sup>52</sup>.

Here, we see an example of the general effect that the focus on the concept of integration, and the way in which it is perceived often as mainly a duty of the immigrants or their descendants, has an exclusionary rather than an integrative effect. Especially German citizens, raised in the country but whose parents or grandparents had once immigrated to Germany, perceive the strong political and discursive focus on integration, which they have actually been living all their lives, as marking them as outsiders. A young Muslim woman is quoted in the survey of the Open Society Foundation on Muslims in Berlin as stating that the integration debate made her feel “pushed into a corner” (Mühe, 2010; 51).

### ***Concluding Remarks***

Similar to other neighbouring countries, like France, the Netherlands or Denmark, German society is struggling today with the transformation of its population, a transformation that has become more visible and more accelerated in recent decades. The most important factor for this development has been immigration, which mainly started during the 1960s as workers were recruited from different countries – mainly from Turkey – in order to help build up the destroyed country after World War II, and continued with refugees and asylum seekers from war torn countries mainly during the 1990s. Unlike countries like France or the UK, Germany had hardly had any experience with immigration from formerly colonised countries.

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<sup>51</sup> <http://www.welt.de/sport/fussball/article4548675/NPD-Funktionaer-beleidigt-Nationalspieler-Oezil.html>

<sup>52</sup> <http://www.migazin.de/2010/12/15/jubilow/>



Another difference in relation to some neighbouring European countries lies in the national identity and national self-perception of German society. Until very recently, the close coupling of national identity and ethnic origin stood largely unchallenged, and until today the idea that a non-ethnic German could not be a 'real' German is still widespread.

In this national atmosphere it is still difficult today for young people, whose parents or grandparents were immigrants, to feel as an equal part of the society and to identify positively with the country, especially as unequal treatment of non-ethnic Germans is widespread in various areas of life. The situation has become additionally difficult for people of the Muslim religion or with a Muslim cultural background<sup>53</sup>, since hostility against Islam has risen in many European countries. Different surveys show that Germany is especially affected by it. At the same time, the diversity in the country keeps growing, and since the citizenship reform of the year 2000, children of non-nationals can under certain circumstances become nationals, which means that more and more people with different ethnic backgrounds and/or different cultural or religious affiliations are being naturalised or are born as Germans. The necessity for social and structural changes becomes evident and is especially felt on the local level, as in certain regions and cities the diversity is higher than on the overall national level. (According to the micro census<sup>54</sup>, 26.8 percent of the population of Hamburg and 24 percent of Berlin has an immigration background<sup>55</sup> compared to 19% on the national level<sup>56</sup>. In certain areas of big cities, the percentage rises to half or more of the population).

Therefore, projects and reforms that aim towards more inclusion are especially found on the local level.

Muslims are not the only minority community suffering from this lack of an inclusive national identity and unequal treatment in society. They have, however, both for national and for international reasons, become the most important focus of public debates on integration, religious diversity and also discrimination and racism. This attention gives rise to strong effects on the situation of the community as well as individuals belonging – or seeming to belong – to this minority.

Research about Islamophobia and the effects of Islamophobic discourse on Muslims in Germany is still rare. Much of the academic work on Muslims concerns questions of whether they are more or less easily integrated than other groups, if their culture and/or religion keeps them from being integrated and makes them (in-)compatible with German values and norms, including non-violence, equality of women and respect of a secular legal constitution.

It is in this context that the discourse on tolerance becomes especially strong. It is, however, used not primarily in order to demand tolerance towards Muslim cultural and religious practices, but more as a discourse of border drawing between tolerant and intolerant minority groups, both within and between Muslim and other subgroups in German society. Naming certain minority groups – especially Muslim ones – as intolerant is within this discourse often used as an argument for not tolerating certain Muslim practices in return or creating stricter laws against religious practices, like the Muslim headscarf in certain public services or accommodations for prayer at public schools. Tolerance is thus

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<sup>53</sup> In the recently published survey "At Home In Europe" of the Open Society Foundations on Muslims in European Cities the German cities Hamburg (22%) and Berlin (25%) had the lowest percentage of Muslims who perceived themselves as German (resp. British, French...) and even lower percentages of those who thought others would perceive them as such. (Mühe, 2010; 58 & Hieronymus, 2010; 55).

<sup>54</sup> In comparison with a full census the micro-census surveys only a representative sample of 1 per cent of the households in Germany, covering 390,000 households with 830,000 people. Available at <http://de.wikipedia.org/wiki/Mikrozensus>

<sup>55</sup> HHAP, p. 10. & Press release 297 of the Amt für Statistik Berlin-Brandenburg, 15th of September 2009, online available: <http://www.statistik-berlin-brandenburg.de/pms/2009/09-09-15c.pdf>.

<sup>56</sup> Statistisches Bundesamt Deutschland: Press release Nr. 033, 26<sup>th</sup> of January 2010; [http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Presse/pm/2010/01/PD10\\_033\\_122,templateId=renderPrint.psml](http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Presse/pm/2010/01/PD10_033_122,templateId=renderPrint.psml)

used more and more often as a discourse that draws lines between in- and out-groups, between the ones to be tolerated and those who are only grudgingly or not at all to be tolerated. The most frequently used phrase in this context is ‘no tolerance for intolerance’ and reaches back to the national memory of historical experiences with the Nazi regime, that could, on this view, only come into power because the preceding Weimar Republic had been too open even towards the enemies of the republic.

Amidst this background, the discourse on tolerance is especially targeted towards Muslim groups – especially those that are religious -- and becomes at times even exclusionary.

Regarding this specific German context, this report takes on an important and interesting task by further investigating anti-Muslim rhetoric and its effects, as well as the general attitude towards ethnic and/or religious diversity, especially in fields of society that are at the heart of identity formation and inclusion, like education and political participation. Anti-Muslim discourse and practices are not the only issues of (in-) tolerance or (non-) acceptance in German society, but they are today the ones that are least restricted by political correctness and much more openly uttered and practiced than other forms of intolerance or discrimination, like the still prevalent anti-Semitism or racism against black people. They can thus be an interesting focus of research, as investigation into general inclusiveness, (in-) tolerance and acceptance of diversity of the German society might be most easily measured in regard to discourse on and practice towards Muslims or people perceived as Muslims.

## Chapter 2: (In-)Tolerance towards religious diversity in German schools

### Introduction

The German educational system

In Germany the educational system varies between individual federal states, which have autonomy on educational issues. However a certain skeletal structure of the education system is common to all federal states, with the following four stages:

*Grundschule* (basic primary school),

*Sekundarstufe I* (secondary schools I) consisting of *Hauptschule*, *Realschule*, *Gesamtschule* and *Gymnasium* until the 10th form,

*Sekundarstufe II* (secondary schools II) consisting of *gymnasiale Oberstufe* (upper school level of *Gymnasium*), vocational schools and adult further educational training

and the tertiary level, consisting mainly of universities and *Fachhochschulen* (technical colleges).

The three-tier differentiation of the secondary schools into *Hauptschule*, *Realschule* and *Gymnasium* has been criticised both nationally and internationally<sup>57</sup>. The early separation of school children between the different school types has disadvantaging effects on certain pupils, among them children with a mother tongue other than German. In most federal states – except Berlin and Brandenburg – the basic primary school ends after four years (six years in Berlin and Brandenburg) and the children are then sent to the different school types, fixing their educational career often before they have had the chance to adjust to the linguistic level of their fellow pupils. Another critique concerning this educational structure is the school type of *Hauptschule*, the lowest educational level of secondary

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<sup>57</sup> See for example the report of the UN envoy Munoz on the German educational system: <http://www.dw-world.de/dw/article/0,,1911065,00.html>

schools, which has in many cases developed into a dead end school, with such a bad reputation that students finishing *Hauptschule* have great difficulty finding work or apprenticeship training positions.

Combined with the fact that children from immigrant communities were found disproportionately often in this school type and teachers were criticised for discriminative allocation of migrant children due to their background and language competencies rather than intellectual abilities<sup>58</sup>, this school type has been harshly criticised and abolished in some federal states, or not even established as in the case of the new federal states in former East Germany.

The *Gesamtschulen* (comprehensive schools) that exist in different forms in some of the federal states, can be seen as an attempt to prevent early segregation of children, not only concerning migrants, but more generally children from different social classes. The common learning and mutual enrichment of the pupils is one of the goals of this school type.

#### The Berlin educational system

In contrast to most other federal states, Berlin pupils generally visit *Grundschule* for six years, although there are some exceptions possible for certain schools that can offer secondary education beginning with the 5<sup>th</sup> form.

Berlin has run a pilot project of *Gemeinschaftsschulen* parallel to the three-fold school system since 2008. Individual schools can become *Gemeinschaftsschulen* and offer all types of certificates while educating all children together. The aim of this school type is to support equal chances through extended common learning and to individually support the skills and talents of all pupils<sup>59</sup>.

In 2010 this aim was to be further strengthened through a major school reform of the whole Berlin education system. The school forms *Hauptschule*, *Realschule* and *Gesamtschule* were all combined into *Integrierte Sekundarschule* (integrated secondary schools), which is now the only type of secondary school besides *Gymnasium*. The aforementioned *Gemeinschaftsschulen* still exist parallel and are supposed to become some special form of *Integrierte Sekundarschulen*.

The aim to integrate all school types has only been taken half way, as the *Gymnasiums*, which lead to *Abitur* (school leaving certificates necessary for university entrance) are still separate from the rest of the system.

However, all other schools forms have been abolished and pupils are now taught together from the 7<sup>th</sup> to the 10<sup>th</sup> form or even until the 12<sup>th</sup> (or 13<sup>th</sup>) form, leading to university entrance certificates. Pupils aiming for *Abitur* can thus choose between the traditional *Gymnasium* and the same kind of educational career within the *Integrierte Sekundarschule*.

The slogan of the reform is ‘from differentiation in the education system to differentiation in the classroom’<sup>60</sup>, meaning that children are not segregated any more between different school types, but are individually supported (in learning groups or courses) and are learning together in the same school or even same classroom.

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<sup>58</sup> In Germany the regular class teachers in accordance with the parents decide which type of school pupils should advance onto (and at which age). This then often reflects teachers’ prejudices about ability of the children of non-native German speakers.

<sup>59</sup> See the statement concerning *Gesamtschulen* on the homepage of the Berlin Senate: <http://www.berlin.de/sen/bildung/bildungswege/gemeinschaftsschule/>

<sup>60</sup> “Von der Differenzierung im Schulsystem zur Differenzierung im Unterricht”: <http://www.berlin.de/sen/bildung/bildungspolitik/schulreform/>

## Motivation of case selections

German public debates regarding (in-) tolerance or (non-) acceptance of ethno-religious minorities have been strongly focussed on Islam and Muslims during recent years. Although there are other pressing issues, such as the rights of the Roma people in Germany, the debate around Islam (*Islamdebatte*) has drawn much attention in the media and political circles. Thus the understanding of tolerance towards or acceptance of minorities can be studied extensively with this religious minority. Although it is debated both on a religious and ethnic basis in public discourse, I will try to focus more on the aspects of attitudes and politics towards Muslims as religious minority, rather than looking at the general debate about ‘people with immigration background’, the German expression for immigrants and their descendants. Firstly, this expression is rather unspecific and secondly, not all Muslims in Germany have recently immigrated. Among those concerned are also – such is the case with the headscarf banning laws – Muslim women with no immigration history. Although these different aspects cannot be separated, a focus on the issues concerning Islam as a religious minority in Germany allows for a better analytical differentiation.

Germany is distinctly separated into federal states with much autonomy in various fields, such as education, making it difficult to generalise on certain issues. For the two cases discussed in this chapter I have chosen the federal state of Berlin, which is generally perceived as a rather non-religious society and political climate, in contrast with states such as Bavaria and Baden-Württemberg. On the other hand Berlin has also a rather multicultural, open and tolerant self-perception, where diversity is generally appreciated. Different social minorities, like different kinds of artists, alternative scenes or the gay movement have long appreciated Berlin for its open mindedness and liberalism.

On the other hand Berlin has, partly because of its strong leftist influence in politics both in the former western, but even stronger in former eastern parts of the town, always had a rather distant approach towards religion and especially public expression of religion.<sup>61</sup>

It is this particular combination that made it difficult for Berlin’s politicians to establish a law against the wearing of headscarves for Muslim teachers and other professionals, as had been passed in Bavaria and other federal states where Muslims were more obviously discriminated against compared with members of other religions. Berlin rather tried to both prevent Muslim teachers from wearing headscarves and at the same time not discriminate against Muslims, but treat all religions equally. It thus passed a law, the *Neutralitätsgesetz* (law on neutrality), which forbade the wearing of any kind of (ostensive) religious symbols for teachers and some other professions within public services. At least the wording of the law thus cared for an equal treatment of different religions, while in Bavaria only Muslim teachers are forbidden from wearing religious head-coverings in public schools, whereas the ban does not affect Christian nuns.

It is this specific situation that makes Berlin especially interesting to study regarding the (in-) tolerance towards a minority religion.

Both in Berlin and across Germany, the ‘neutrality of the state’ regarding religious issues has been a major topic within the debate about Islam and religious expression by Muslims during over recent years. ‘State neutrality’ is often used as an argument to reduce or demand the reduction of public religious expression, especially that of Muslims. As neutrality is in this debate understood and used differently by different actors, it is interesting to have a closer look at those arguments and also to their relation to the understanding of neutrality within the German constitution.

The German legal background to this is a specific understanding of state neutrality, not banning religious expression from public space, as in laic France, but demands that the state be neutral by not preferring one religious denomination over another, and to even support religious expression and

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<sup>61</sup> See for example the defeat of the citizens’ initiative ‘Pro Reli’ in 2006, that aimed to establish religious education as a regular subject in Berlin schools, as it is handled in almost all other German federal states and also guaranteed by the constitution – with the exception of Berlin, Brandenburg and Bremen.

practice where necessary. The state is not bound to keep religion private but to not favour one religious faith over another. On the other hand there is a strong position of the Christian churches within the society and vis-à-vis the state, which makes this constitutional basis of state impartiality challenging in many cases, among them the headscarf bans and the right to prayer.

The headscarf debate heavily referred to the neutrality of the state, the Berlin and other respective laws even being called *Neutralitätsgesetz*. Another important discussion turned around the conflict of positive religious freedom (of the Muslim women) and negative religious freedom (of the non-Muslim or non believing pupils and parents).

The latter arguments appeared also in a more recent conflict of a Muslim boy in Berlin demanding his right to pray in schools. Within the public debate about this issue as well as in the argumentation of the court, the argument of neutrality of the public school was used to counter the demand of the Muslim boy for his right to prayer. I chose this case of the prayer in school for the analysis of the present chapter, because it is in line with the headscarf debate regarding the debate about neutrality and the different (positive and negative) freedoms of religion, but is more recent and has not been widely analysed so far. It is in parts specific to the Berlin political landscape but has also general relevance for the whole of Germany. This relevance had also be seen by the different court levels, thus allowing for further appeals to higher instances.

The specific German understanding of state neutrality is also at the core of the local and national debates around the introduction of Islamic religious education at public schools. The German constitution (*Grundgesetz*) states, that the state should actively support religious expression, but has to refrain from unequal treatment between the different denominations. Religious education is thus a basic legal right and its teaching as a regular subject at public schools can be legally demanded, while the definition of the theological content is entirely up to the respective religious community. As no Muslim religious community has ever been officially acknowledged by the state, the implementation of Islamic religious education remains a challenge. Berlin is one of three federal states where religious education is organised in accordance with the *Bremer Klausel* (the ‘Bremen clause’), which provides an exception to the law. Religious education is not a regular school subject in Berlin, as in most of other federal states, but only taught as a voluntary additional subject and organised by the religious communities themselves, with some public financial contributions. One Muslim organisation, the Islamic Federation Berlin (*Islamische Föderation Berlin - IFB*), legally for many years fought for acknowledgment as a religious community, allowing it to give religious instruction at Berlin. The courts decided the situation, and political will opposing the Muslim organisation could not change it. This has created a situation where Islamic religious education has been taught for about ten years, in contrast to other federal states. In most other federal states, Islam has only been taught in schools in connection with the *Muttersprachlicher Ergänzungsunterricht* (additional tuition in mother tongue), where children of Turkish immigrants were taught in Turkish about Islam, which was not explicitly religious education as such. The introduction of regular Islamic religious education in line with the constitution is in development in various federal states. However, the content of this education will not be decided upon by the state institutions alone, but as a ‘res mixta’ in cooperation with representatives of the religious communities. As the existing Muslim organisations are not yet recognised as religious communities by the constitution, this causes major difficulties and different federal states are currently looking at different options of cooperation between the state and the Muslim communities in order to be able to introduce regular Islamic religious education at public schools<sup>62</sup>.

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<sup>62</sup> The German constitution does not foresee a state church, but close cooperation between the state and religious communities. The precondition for this cooperation with the state is the acknowledgement of the religious community as a *Körperschaft des öffentlichen Rechts* (Corporation under public law). A community that is acknowledged in this way can benefit from the state collecting ‘church taxes’ for them, can offer religious education in public schools with its own curriculum but financed by the state and has many other advantages. The acknowledgement necessary is made by the federal states, which verify above all the continuity of the community and if it is law-abiding. As the law is very much oriented towards Christian churches, Muslims

The experiences of the Islamic Federation Berlin and its teachers both with the public institutions and the schools, where they work is thus exceptional for Berlin but through its longer experience might function as an interesting pioneering example for the current national and local debates and models.

### The number of Muslim pupils

No official numbers exist with regard to the exact number of Muslim students in schools and higher education. Data only reveals the number pupils of German or other nationalities in schools. Of the German students, the number with an immigration background has been counted for several years now. The PISA consortium published the numbers of students with an immigration background in 2003<sup>63</sup> as 22 percent and in 2009<sup>64</sup> as 25.6 per cent.

Estimates suggest 700,000 German pupils have a Muslim background,<sup>65</sup> while the educationalist Havva Engin suggested in 2001 that six percent of pupils were Muslim (Engin, 2001). The percentage is probably much higher today and highly fluctuating between former west and East German states, as well as between cities, districts and even individual schools.

In Berlin, a fifth of all school children (95,211) were said to have a ‘mother tongue other than German’ in the school term of 2008/09, compared with one fifth or 72,633 in 2000/01.<sup>66</sup> *Nicht Deutsche Herkunftssprache (NDH)* (non-German language of origin) is a term that is quite problematic in itself, as it also includes children who were born and raised in Germany and have German citizenship. The official definition on the website of the Berlin Senate says that the language used in the family decides whether a child is counted as having ‘German language of origin’ or ‘non-German language of origin’. In school however the label of NDH tends to support a further ‘othering’ of certain children because of their ethnic background. The Berlin based NGO *Migrationsrat Berlin Brandenburg* for example criticised the segregation of school classes along the lines of ‘German’ or ‘non-German’ language of origin, which tends to further marginalise non-ethnic German children.<sup>67</sup>

### Research Methodology

This chapter is based on both desk research and empirical fieldwork. In terms of desk research we have collected the statistical data available, legal texts and policy documents, media articles and other relevant scholarly literature on the cases in question, and about Muslims in Germany and specifically in relation to public school education. The empirical data collection consisted of interviews with

(Contd.) \_\_\_\_\_

and some other communities are disadvantaged because of the differences in their structures and organisation. The larger Muslim umbrella organisations in Germany have sought acknowledgment from the state for several years, but have always been confronted with both the structure issue – Islam does not provide one hierarchically structured church as partner of the state – and with a lack of political will. When the big organisations finally succeeded in founding one common organisation in 2007, the Coordinating Council of Muslims in Germany (*Koordinationsrat der Muslime in Deutschland - KRM*) in order to provide a common partner for the state institutions, they were again rejected with the argument that they did not represent enough Muslim believers. As Muslims who use the facilities of a certain organisation do not usually register as members, this belonging and representation can not easily be proven.

<sup>63</sup> <http://www.mpib-berlin.mpg.de/Pisa/index.html>

<sup>64</sup> Klieme, Eckhard (ed.); Artelt Cordula (ed.); Hartig, Johannes (ed.); Jude, Nina (ed.); Köller, Olaf (ed.); Prenzel, Manfred (ed.); Schneider, Wolfgang (ed.); Stanat, Petra (ed.): PISA 2009. Bilanz nach einem Jahrzehnt. Münster: Waxmann 2010, p. 200-230

<sup>65</sup> Bildung Plus, Interview with Aiman Matzyek, chairman of the Muslim umbrella organisation *Zentralrat der Muslime in Deutschland ZMD*, available at <http://islam.de/6382.php>

<sup>66</sup> Source: Amt für Statistik Berlin-Brandenburg, Senatsverwaltung für Bildung, Wissenschaft und Forschung, online: [http://www.berlin.de/lb/intmig/statistik/aus\\_bildung/schueler\\_herkunftssprache.html](http://www.berlin.de/lb/intmig/statistik/aus_bildung/schueler_herkunftssprache.html)

<sup>67</sup> Migrationsrat Berlin Brandenburg: Empfehlungen zum Landesaktionsplan gegen Rassismus und ethnische Diskriminierung (LAPgR) in Berlin von Seiten zivilgesellschaftlicher Akteur\_innen.

different actors involved in one of the two cases or both. Both the desk top research and the interviews aimed to create a critical discourse analysis of the two widely debated cases as well as to analyse connections between the two discourses and the larger discourse on Islam and Muslims in Germany. Most of the interviews were held in the central districts of the city of Berlin, itself a federal state, while one was held in the city of Hanover in the federal state of Lower Saxony.

More specifically we conducted 18 semi-structured qualitative interviews in total. Of those seven were conducted with local politicians and members of Muslim and non-Muslim NGOs, seven with Muslim and non-Muslim teachers in Berlin, six of them in Berlin and one in Hanover. Four interviews were conducted with Muslim pupils, of whom three were male and one female (see Annex). In addition to the interviews held in early 2011 with politicians, representatives of religious organisations, teachers, pupils and other actors in the field, we held a roundtable discussion with experts in the field of Islam at German public schools in June 2011 in order to back up the findings of the draft chapter and gather additional data for our analysis. The first part of this group discussion was introduced by Werner Schiffauer who gave some input from his research about the situation of Muslims at German public schools and was followed by a discussion about individual experiences of the present school members and experts. The second part of the roundtable was introduced by three experts working in the educational field, who reported on their different experiences regarding Muslims at German public schools, and was again followed by an exchange of the experts present on both their theoretical considerations and practical experiences.

### ***Case 1: The question of state neutrality and tolerance of religious practices in schools***

In 2008 the Berlin administrative court decided in favour of a 16 year old Muslim pupil who had taken legal action against his school because he was prohibited from performing his Muslim prayer inside the school building. Among the most important of the school's arguments was that its neutrality would be at stake if it allowed pupils to visibly perform their Muslim prayers and thus interfere with the other pupils' right to negative religious freedom, meaning not being confronted with religious practices and symbols in school.

The Senate Administration for Education in Berlin opposed this court decision and appealed against it. In 2010, the next higher court level, the Higher Administrative Court, followed the argumentation of the Senate Administration for Education and the school and allowed the school to prohibit Muslim prayers. The pupil's legal representation lodged an appeal against this decision again and the Federal Administrative Court finally decided in the same way as the Higher Administrative Court, that the prayer could be forbidden in school. The latter court however pointed out, that this decision was only binding for this respective school and that the neutrality of the state could not be used as an argument to forbid prayer at school. There was no strict separation of church and state in Germany, why schools were no non-religious spaces (*religionsfreie Räume*).

The necessity to maintain the neutrality of the state is used as an important argument not only in this case. In practice, the specific understanding of state neutrality is interpreted in different ways, especially in the area of education. The conflicting views of a more laic interpretation, where the state should refrain from supporting any kind of religious expression and an understanding of 'positive neutrality' as the German constitution describes it, where the state remains neutral towards the different affiliations while supporting religious expression in general, often clash in the school setting. The issue has also been dealt with in relation to the Christian religion, when crucifixes in schools were the focus of the conflict, but is most often dealt with in relation to Muslims and Muslim religious practice. The headscarf of Muslim teachers has been the most prominent focus of public debate in recent years. In contrast with conflicts over Christian religious practices, the issues concerning Muslims in the debate often touch upon both arguments of state neutrality and on issues of (in-)

tolerance towards religious diversity. It was thus of great interest and importance to observe how the different actors apply the ideas of neutrality and secularism to this case and connect them with other cases where Muslim religious practice in schools may be judged to interfere with state neutrality either to support their arguments or to distinguish them from other cases where they apply neutrality differently.

## Discourses on concepts of state neutrality and tolerance

### *Neutrality as equal support of different religions*

The first court level, the Administrative Court of Berlin (VG), did not accept the argumentation of the school that the principle of the neutrality of the state must be maintained within the state's institutions, by arguing that the pupil had a right to demand his religious freedom under article 4 of the German constitution.

“This basic right does not only extend towards the inner freedom to believe or not to believe, but also to the outer freedom of expressing this belief. To this belongs – especially as the duty of prayer belongs to the five pillars of Islam – in particular prayer”<sup>68</sup> (translation by the author)

The school's argument of the demonstrative and promotional effect of the Muslim prayer was countered by the court in saying that the school could organize a place somewhere on the school site where the boy could carry out his prayers without disturbance, which could not easily be seen by others. The endangering of the peace at school through conflicts between different religions and cultural backgrounds was not recognised by the court, which instead declared:

“The peaceful coexistence at a non denominational school requires that the pupils learned to tolerate and respect the religious beliefs of others.”

The court names tolerance in the same breath as respect, thus referring to what the political scientist Rainer Forst refers to as a *Respektkonzeption* (‘respect conception’) of tolerance, based on mutual respect and acceptance of different groups and individuals on the basis of a constitutional political community (Forst, 2003:42). The Administrative Court positions this kind of tolerance as a major educational objective for all pupils in all schools.

**The understanding of state neutrality as an equal support of different religions is thus closely connected with an understanding of tolerance as respect conception. Tolerance in this sense is closer to respect and acceptance and might be seen as the individual virtue of citizens, where the concept of neutrality as the support for equal rights is the legal framework.**

Various interviewees, some teachers and one NGO representative referred to the equal treatment of religions when asked about their views on prayer rooms at schools. Particularly interesting however was the fact that the Muslim pupils interviewed in this research referred heavily to an understanding of equal treatment of the different religions before the law and demonstrated a considerable amount of trust in German legal institutions.

One young Muslim man, who visited the same school as the claimant, said he would not have chosen the legal action as his schoolmate did. However, when asked about another way to resolve the problem, he said,

*“To be honest, you could only solve it that way. I could not have imagined it any other way. If he really wanted it, the teachers would have said ‘no’ for sure. They did say it in fact. They really said no and they would have insisted on it.”* (L)

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<sup>68</sup> Decision of the 3rd chamber of 10<sup>th</sup> of March 2008 – VG 3 A 983.07



Interestingly, while the pupil did not trust in the help and support of the teachers, he obviously perceived going to court as a realistic possibility to achieve justice.

A female Muslim pupil who attended another school in Berlin described the development around the prayer room at her school. Pupils were given a room by the headmaster, which was later taken away again after discussions started among the teachers. Although this room was withdrawn with the argument that it would be unfair towards other religions, the schoolmaster still solved the problem pragmatically by allowing the pupils to use any room they could find for their prayer. Concerning the court cases, the interviewee uttered a feeling of injustice,

*“In my opinion, it is should not be allowed to prohibit pupils from praying in school, because it does not actually disturb the (other) pupils, as most of them pray during the break when it is loud anyway.”*  
(F)

Later on when describing a case at another school where the Muslim pupils had been always prohibited from praying, she again expressed the view that this was not in line with the law. She then described the case of a young Muslim at her school, who had organized a collection of signatures in support of a prayer room, which had been ignored by the headmaster. She explained that the young man had later been called to the headmaster and accused of drawing a tree and later crossing it out, interpreted by the teacher as a crossed out Christmas tree and thus a sign of a fundamentalist attitude. The boy had been warned that he would have to leave the school if he did anything like this again. The interviewee quoted the young man as saying:

*“This is ridiculous, what they are doing to me...if I went to court, they would lose.”* (F)

Interestingly this boy shows the kind of behaviour, which could well be interpreted as civil resistance and stemming from a very democratic attitude, collecting signatures from supporters in his school, although they were not acknowledged by the headmaster. Nevertheless, the young man is still sure that if he took the last step possible and went to court, he would find justice there. He thus also expresses a strong trust in the German legal system, which he is sure would give justice to him, whether he belonged to a religious minority or not.

The decision finally taken by the German courts about the possibility to pray at school might be important for further strengthening, or weakening, this trust of young Muslims in the German legal system offering justice for all citizens and also acknowledging religious freedom for minority religions too.

#### *Neutrality as the invisibility of religious practice*

The second court level, the Higher Administrative Court in Berlin (OVG), followed the argumentation of the pupil's school however, judging the peace at school at risk due to an encounter of a

*“plurality of different religions and faiths”*<sup>69</sup>, containing a *“considerable potential for conflict”* (translations by author).

In the following judgement the court refers to conflicts, which arose at the school due to some Muslim pupils not following religious commands such fasting, praying and not eating pork. The OVG also refers to the other court's argument of supporting tolerance and respect among the pupils and declares that educational means to support *“mutual tolerance and respect”* would not be enough for securing the peace at school, if

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<sup>69</sup> Verdict of 27th of May 2010 - OVG 3 B 29.09; Press release 13/10

*“religious cultic actions were allowed, that were – like the often collectively performed ritual of Islamic obligatory prayer – easily perceived from outside and thereby different from silent prayer, tolerated by the defendant.”*

The OVG ruled that the peace at school (*Schulfrieden*) was especially endangered by the allowance of outwardly perceivable religious practices in opposition to the calm prayer of an individual. Although both individual and group religious rights are equally protected by the German constitution, they are frequently differentiated in public discourse, generally acknowledging the former but often delegitimising the latter. Here both the group and the outwardly perceivable aspects of religion are touched upon.

Interestingly the OVG explicitly differentiates between “*often collectively performed*” prayer and the “*silent prayer*” of the individual, which was tolerated by the school. While it rejects the ‘respect tolerance’ demanded by the VG as too weak a means to ensure peace at school, when talking about a silent prayer it refers to what Rainer Forst calls the allowance-conception of tolerance (*Erlaubniskonzeption*). This describes the relation between a powerful entity, in this case the school, and a less powerful minority or member of a minority, which is granted tolerance, but can also lose it at the will of the tolerant. (Forst, 2003)

Similarly an interviewee from the Senate Administration for Education in Berlin, the institution, which initiated the appeal against the first court decision, also cited the silent versus the demonstrative character of different forms of prayer. While he explicitly emphasised that the Senate Administration naturally supported the religious freedom of pupils and was well aware that the secularism of Germany was a positive instead of a laic<sup>70</sup> one in the French or Turkish sense, he limited this support of religious expression to the inner, silent form of prayer. He referred to an expert report that the Senate Administration had used in court, which distinguished between two forms of Muslim prayer, one being “important for the spirit and the inner ethical questions” while the other was “a demonstration of community.” He further quoted the expert report by saying that the ‘ritualistic prayer’ of Muslims had a missionary meaning, particularly in societies which were not yet, but “should become majority Muslim.” He thus implicitly connects the Muslim ritual prayer with an Islamist aim of making the majority of the population Muslims. Although the Senate representative confirms that missionary activity would be normal human behaviour, he demands its limitation by certain rules in order not to lead to strong conflicts.

The visibility and audibility of religion by itself is perceived here as a sign of missionary activity and even contextualized with the aim of proselytizing the whole society.

This trope of ‘Islamising’ the whole society is often found in rightwing populist debates<sup>71</sup>, especially in the movements against mosque building and generally anti-Muslim groups, but also enters mainstream political discourse through this kind of ascription of - assumedly intolerant - Muslims trying to undermine the society.

After several years of controversial debates around its content, the Senate Administration for Education published the “*Handreichung Islam und Schule*” (Handout on Islam and School) in 2010, in order to help teachers in dealing with Muslim issues at school. The handout explains that only very

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<sup>70</sup> The interviewee here refers to the understanding of state neutrality towards religion as described in the German constitution as a ‘positive neutrality’, which – in contrast with the strict separation of church and state in for example laic states like France – supports close cooperation between the state and the religious communities.

<sup>71</sup> See for example the former publicist of the newspaper FAZ (Frankfurter Allgemeine Zeitung) Udo Ulfkotte. Among his prominent books is Ulfkotte, U. (2008) SOS Abendland. Die schleichende Islamisierung Europas. (SOS Occident. The creeping Islamisation of Europe), Rottenburg am Neckar: Kopp Verlag or Ulfkotte, U. (2003) Der Krieg in unseren Städten. Wie radikale Islamisten Deutschland unterwandern. (The war in our towns. How radical Islamists are infiltrating Germany.), Frankfurt am Main: Eichborn.

few Muslim children would want to pray at school. A judgment about the motivation of those few follows:

*“Some of them because here it becomes outwardly recognizable, if someone fulfils the religious norm,” (Senate Administration for Education, Science and Research, 2010: 8)*

The handout further argues that this can turn into moral pressure on other pupils who do not want to pray. In referring to the court case, only the arguments of the second court level (which argued against the right to pray at school) are cited and the focus is put on the religious neutrality of the school, and its role to ensure that pupils are protected from both pressure and missionary influence of the ritual of prayer.

One of the female Muslim pupils interviewed also described these accusations of proselytising through the visibility of the prayer. Without prompting from the interviewer, she described how she saw the reason for the prohibition of prayer at school as the fear of missionary activity and directly tried to counter it:

*“But the others would realise that. We as Muslims are not just pulling people inside, saying, look here, we proselytize you now. ’ Islam is not like that.” (F)*

#### *The limits of tolerance*

The threat of missionary activity by Muslim individuals or organizations – although perfectly in line with the constitution – is very often referred to as the limit of tolerance, as the borderline, where the person or organization forfeits its right to be tolerated itself. For example, an interviewee working at a Berlin school said, in reference to tolerance towards religious minorities: “No tolerance towards the intolerant! Tolerance is a kind of respect, that other people are different. But, I am completely intolerant towards those that start proselytizing, that start calling their way of life the only true one, that attack others, because they do not think alike and are different. (...) And that played an important role within the discussion here at our school.”

The danger of too much religion (particularly Islam) in public space, and the danger of ‘too much tolerance’ towards it is also referred to by Johannes Kandel from the Friedrich Ebert Foundation. The foundation is associated with the Social Democratic Party (SPD), and is an important public actor concerning Islam within Berlin society, which also strongly influenced the “Handout on Islam and School” mentioned earlier. In his introductory speech to a public discussion about the prayer case (FES, Nr.38: 3) he states, that religions could only expect

*“respect, tolerance and acceptance by civil society and the state, if they accepted the fundamental principals of secularity, universal human rights, democracy, constitutional state and pluralism”* (translation by the author).

He also declared that not all religions were equally developed – especially concerning their dealing with other religions - and are thus challenging the dictum of equal treatment. He concludes, that the tolerance of intolerant attitudes and practices might contribute to the abolishment of tolerance in society.

As the discussion that follows this introduction is primarily about the case of the young Muslim who wanted to pray at school, it becomes clear to which religion Kandel is mainly referring to in his presentation, and that the most important issue for him in the context of the possible prayer at school is the danger of tolerating intolerant practices and religions.

The concept of tolerance is used here rather as an excluding than an including discourse. By naming the demand of toleration, namely “accepting fundamental human principles of secularity, human

rights, democracy and constitutional state pluralism”, the border with the other is drawn – in this case the religious Muslims – and he is both positioned outside of this part of society, which forms the ‘we-group’, where the adherence to all these values is not even put in question. But this position of the one who is outside but tolerated is also put further into question by explicitly stating that even the tolerance – that already marks him as an outsider – will only be granted if certain values are subscribed to. By naming these values an idea of cohesiveness within the we-group is purported and at the same time it is generally doubted that the other – in this case the Muslim – easily subscribes to these values.

### *The relation between the concepts of state neutrality and tolerance*

A general difference between the two court rulings can be seen in their perception of the role (and power) of an attitude of ‘tolerance and respect’ towards different religions and worldviews. While the first court saw it at the core of peace at the school, the second court perceived a too exclusive focus on tolerance as a threat to peace at the school, which could better be maintained with the religious differences kept as invisible as possible and thus the whole school (including teachers and pupils) as neutral as possible. Tolerance in the sense of accepting religious diversity in school is in this perception rather seen as a threat than a chance and the only religious practice tolerated by the school is the silent, individual and rather invisible one.

**The understanding of state neutrality as eliminating any visible and outwardly perceivable form of religious practice from the public sphere is thus in close connection to the understanding of tolerance as allowance-conception. Tolerance is rather portrayed as a threat than a virtue and mainly mentioned in connection to its limits, those being any kind of perceived intolerance of religion itself, primarily any attempt to proselytise. Tolerance is not understood as an individual virtue supporting the legal frame of equal rights, as in the case of the respect-conception of tolerance. Rather it is taken as some kind of bearing of the other, one who is not on equal power terms but always in danger of not being tolerated any longer. The non-tolerance is then applied to any perceivable kind of religious expression, especially when performed by groups.**

### *Possible solutions of the prayer conflict and further developments*

#### *‘Room of silence’ as compromise between the different perspectives on neutrality*

Even those interviewees who generally opposed a room for Muslims to pray in school generally supported a ‘room of silence’ to be used by all religions, stressing the elements of silence (meaning silent prayers) and neutrality (meaning that no religious symbols should be shown in order to avoid opposing views which could lead to conflicts). The religiosity seemed to be neutralised well enough through the invisibility and inaudibility of the prayers and the problem of meeting the needs of all different religions and worldviews seemed to be solved as well. However, a headmaster who offered this solution to the problem explained that he would have been ‘laughed at’ if he had proposed this to the Senate Administration for Education.

The interviewee from the Senate explained that he opposed this neutral ‘silent room’ because these requests were normally made by only a few, while the majority remained silent, and implied the danger of religious groups and communities taking the initiative and influencing the pupils from outside. He also referred to the unacceptable influence of other organisations beyond the religious ones, namely the political parties and other ideological groups and the danger that children could associate themselves with these groups out of mere opposition to their parents.

He then said that education could only succeed if it did not work against the parental homes. Otherwise the child would be

“torn in different directions. And even the best child cannot stand this.” (Translation by the author) (N)

This attitude of the Senate Administration for Education against even a common room for different religions was criticised by other interviewees and perceived as a sign of a general anti-religious attitude.

#### *Anti-religious attitudes as barriers to religious diversity*

At the public discussion at the Friedrich-Ebert-Stiftung about the court case in Berlin, Astrid Reuter, a theologian and religious scientist, stated her opinion that for the large part there was not a big problem with intolerance stemming from religious communities in Germany, but more from the part of non religious people. According to her this originated in the difficulties to deal with the diverse meanings of religions, religious symbols and practices, which could be observed during the headscarf conflict. This insecurity often led to an intolerant attitude towards religions and religious needs and concerns. (FES, Nr.38: 8-9)

This intolerance by non-religious people has also been perceived by different interviewees within the research. It was observed that Berlin was a traditionally secular and non religious city and that in particular the educational policies were advancing the view that religious expression should be kept out of the everyday school life as far as possible in order to keep a good and harmonious atmosphere.

Two interviewees, a Muslim teacher and a Protestant educationalist, bemoaned the fact that religion was often only seen in a problematising manner and in connection with fears, rather than as a potential source of tolerant behaviour and mutual respect.

Those fears were sometimes expressed by the interviewees when other interviewees talked about the missionary aspects of common prayers and the possible pressure which this can put on less religious pupils, but also when the danger of the religious communities behind the young pupil and his concerns are assumed and their possible influence in the schools is compared with that of political parties or Scientology.

Several Muslim pupils also described encounters with this fear of and even hostility towards Islam with some of their teachers. Two young Muslim men who went to the same school as the claimant portrayed the school as one where many teachers did not see religious practices favourably. They both also explained, that one of their teachers had openly said in class, that he had an anti-Muslim attitude and that he talked about Muslims and Islam in a hostile way, whenever the talk at school touched upon it. Additionally one of the interviewees described how the headmaster in Ramadan had once put a glass of water in front of him in order to make him break his fast.

That the fear of extremism is never far away could be observed in the case of a young man at another Berlin school who crossed out a picture he drew of a tree, because it had been immediately been perceived as anti-Christian and thus Muslim extremism and even put him in danger of having to leave the school.

#### *Possible future developments of legal rulings regarding religion*

At a public discussion about the court case of the prayer in Berlin, Hans Michael Heinig, a professor for church law, explained that three alternatives were currently under discussion among experts concerning the further development of the *Staatskirchenrecht* (the law affecting the church and the state) in the future:

Equal treatment before the constitutional law regarding religion (*Religionsverfassungsrecht*)

Hierarchisation through the privileging of the Christian denominations

Laicisation of the religious legal order.

Heinig explains, why in his view, the first option is by far the best option, also in terms of compatibility with EU law. However, the other two alternatives can be widely heard in public discussion concerning the treatment of religion in general and Islam in particular.

Heinig further states that in his view the concept of tolerance should not feature in the legal debate. He argues that the toleration of people with a different faith would only be one step before religious freedom, which has already been secured by the law, but as an individual virtue of the citizens it would be no legal duty. He explains however, that an intelligent legal system on religion could support tolerant attitudes of citizens, while a non-intelligent one could hinder them.

On the other hand he described the virtue of religious tolerance as an important tool in extrajudicial conflict-management. Here he defined the connection between tolerance and religious freedom as an object of legal protection:

*“The more intolerant a society is, the more important the effective enforcement of religious freedom becomes, but also the more precarious the claim towards enforcement of the law becomes within the society.” (FES, Nr.38: 6)*

These remarks can well be connected to the different perceptions and debates among the interviewees with regard to the court cases in Berlin.

Various interviewees reported that the headmaster of the respective school in Berlin had a very antagonistic attitude towards Muslim prayer at school and it appears as if the young man and his father only went to court at the point at which prayer at school was made completely impossible. This would support the view described above, that the less tolerance a society (or sub-system in society) shows, the more important the effective enforcement of religious freedom becomes.

On the other side tolerating the prayer at school is even seen as a possible way of handling the issue by many of the actors who generally opposed a prayer room. It could thus be perceived as the virtue of the citizens, and seen as necessary for extrajudicial conflict management in society. The moment however in which more than voluntary tolerance is demanded, namely the enforcement of a legal rule, this tolerance seems to become diminished.

## Concluding Remarks

It can generally be concluded that the tolerance of religious practices such as prayer at school (taken as the pragmatic handling of this need of certain pupils) would be a good option for most people involved. Things change completely the moment the ‘tolerance’ goes from a personal decision which every school and teacher makes for themselves on whether and how to grant it, and to whom it should be granted, is transferred to a legal right, such as when the young Muslim and his father appealed to the court. The moment something becomes a legal right, which then must be granted by the administration even in cases when they would rather not grant it, the decision about ‘tolerance’ or ‘non-tolerance’ is taken out of the control of the administration of the schools.

Concerning religion and especially Islam this seems to become especially problematic as the doors of the school might be opened towards groups of people who should not be trusted and might infiltrate the pupils in a negative way. Religion is generally perceived as inciting rather than appeasing conflicts, which is why as much invisibility and inaudibility of religion is aimed for.

This view takes its strongest position in the words of Kandel, that too much tolerance even for the intolerant religions could cause the society to lose its tolerance altogether.

Here (perceived) intolerance marks the border between those religions that are to be tolerated and accepted in society (because of their higher development) and those that are not – namely Islam, the one dealt with in this instance.

In this discourse tolerance becomes a tool for making distinctions between the ‘good’ and the ‘bad’, the one that is to be tolerated and the one that is, due to its own intolerance, not to be tolerated. Another understanding of the concept of tolerance, referred to by Forst as the respect conception of tolerance, sees the case of the space for prayer as a particular opportunity to learn tolerance and mutual respect in school. This conception of tolerance was used in the first court decision by the VG.

The second court, the OVG, perceived this understanding of tolerance as not strong enough to ensure peace at school vis-à-vis the diversity of conflicting religions present – and would thus support the appeal, that too much tolerance – for the wrong people and religions – can be dangerous for the society. Here the way how tolerance as a concept is referred to rather belongs to what Forst calls the ‘allowance conception’ of tolerance, which attributes one side the power to tolerate or not to tolerate.

According to Wendy Brown this shifting of the debate from a ‘respect conception’ of tolerance towards an ‘allowance conception’ of tolerance could be an attempt to ‘depoliticise’ the discourse (Brown 2008). By changing a legally ensured right into an objective of tolerance, the debate is taken out of the realm of equal rights and into the realm of voluntarily attributed allowance, and from a more powerful towards to a less powerful entity. In fact, different interviewees have described the perception of a social power struggle ongoing in court.

The interviews with diverse actors also suggest that the idea of a common ‘room of silence’, designed and organised by the various pupils together and thus support the learning of mutual ‘tolerance and respect’, would be a viable solution both for religious pupils of different faiths and for many atheist and Humanist actors in the field.

A policy recommendation stemming from the analysis of different arguments and different actors within the debate about prayer rooms in public schools would ask the Senate Administration for Education in Berlin and headmasters of the different schools at the local level as well as the *Kultusministerkonferenz* (joint board of the cultural ministries of the federal states) on the national level to reconsider the provision of a small room at every school that can be used for spiritual purposes such as prayers or meditation. In order to avoid possible conflicts or fear of proselytizing, the room should be held religiously neutral without any religious symbols or pictures, so that members of different religious communities as well as non-religious people, who wish to withdraw for meditation, can use it.

Another recommendation for national policy makers would be to consider the way how the religious neutrality of the state is understood and how it shall be understood in the future. Following the legal scientist Heinig the report also favours the understanding of state support of all religion equally before a laicisation of law and politics or even a hierarchisation in favour of the Christian denominations over others. Findings from the report give some evidence, that the first model of state support of all religions equally is the one, that is most strongly connected to a practice of tolerance and a view towards tolerance as mutual respect rather than as an unequal power-relation, where the one who tolerates is in the powerful social position and always has the right to not tolerate. The latter understanding of tolerance as allowance has rather been found with supporters of the laicisation of society. In this context also the equation of tolerance towards religious difference with danger of the social peace could be found. An open and diverse society, where all members are able to participate equally and where some way of mutual understanding and/or respect of different cultures and religions can be found could probably be supported by an understanding of state neutrality the supports all religions equally instead of keeping them away from the public sphere and forcing some of their members to suppress large parts of their identity in important parts of their social life.

### ***Case 2: Experiences with Muslim religious education at state schools using the example of Berlin***

In 1980, long before state provision of Muslim religious education at state schools was nationally debated, the Muslim organisation ‘*Islamische Föderation Berlin - IFB*’ (Islamic Federation of Berlin) went to court in order to gain acknowledgment as a religious community and thus have the right to organize religious education at state schools. More than 20 years later, the organization won the case and started giving Islamic religious education for 55 children in two public elementary schools in Berlin.

Article 7 of the German constitution states that religious education is a proper subject (*ordentliches Lehrfach*) for public schools and should be organised in cooperation with religious communities. The *Bremer Klausel* (the Bremen Clause) excludes Berlin, Bremen and Brandenburg from this basic law, meaning that public schools do not have to offer religious education as proper subject, but it can be offered by the religious communities only as an additional, elective subject. In Berlin, religious education is only organized if enough parents of a certain religion opt for it. The respective communities provide the religious education teachers and the Berlin Senate has no right to interfere in the religious content taught in those classes, as long as it meets the basic constitutional standards.

From the beginning of the teaching in 2001 until today many criticisms towards this non-interference of the state and towards the IFB have been raised.

Nevertheless, today the IFB has been teaching for ten years and could extend its sphere of work to 32 elementary schools and over 5000 pupils, with instruction by 23 religious teachers.

#### Development of the (non-) acceptance of the Islamic Federation

##### *Distrust towards the Islamic Federation in Berlin*

The IFB fought in court for nearly 20 years to be allowed to give Islamic religious education and was ultimately acknowledged by the courts as a religious community in the legal sense, giving it the possibility to give religious instruction at public schools in Berlin. Although the decision meant a legal acceptance of equal rights of the Muslim organization, in practice the acceptance of the organization and its teachers at public schools was one of forced tolerance rather than acceptance. For example, in August 2001 the financial paper *Handelsblatt* ran an article entitled “Allah comes into the classrooms” and bemoaned the fact, that: “The Senate Administration for Education is forced to provide rooms and pay for teachers that the federation is free to choose.” (*Handelsblatt*, 2001) (Translation by the author)

The mistrust towards the organization became clear through quotations in press articles such as that on website about migration that cited a legal scholar describing the IFB as an association with

“*religious, political and cultural goals in the guise of a religious community*” (Bundeszentrale für Politische Bildung, 2000) (translation by author).

This trope of disguise directly refers to the public and political perception of the organization Milli Görüs, to which the IFB is said to have strong contacts. The Milli Görüs has been observed and criticised by the *Verfassungsschutz* (German intelligence services) for many years, and referred to as ‘legalistic Islamist’. This category defined as organisations that are not connected to any kind of terrorism or violence, but are said to enforce Islamist positions through the “utilisation of legal instruments” (“...unter Ausnutzung rechtsstaatlicher Instrumentarien,”<sup>72</sup> translation by author). Schiffauer has described this position towards the Milli Görüs and the IFB as a general attitude of suspicion which tends to turn every positive statement by members of the organization on the society and its constitution as an attempt to hide its true intentions (Schiffauer 2010).

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<sup>72</sup> Bundesamt für Verfassungsschutz: Islamismus und islamistischer Terrorismus, [http://www.verfassungsschutz.de/de/arbeitsfelder/af\\_islamismus/](http://www.verfassungsschutz.de/de/arbeitsfelder/af_islamismus/)



Media reports also described the “legal tricks” that the Senate Administration for Education used before the final court decision in order to keep the organization out of schools. The Berlin daily *Tagesspiegel* described an absurd correspondence between the Muslim organisation and the Senate Administration, which tried to delay the court case as long as possible. They quoted the representative of the IFB Kesici:

*“Suddenly the administration says that the language certificate of a teacher from the federation was not readable, then a health examination is supposedly missing or a police certificate, never previously mentioned as compulsory.” (Vieth-Entus, 2000b)*

An interviewee who used to represent a secular Turkish organization in Berlin described the Senate Administration for Education’s strategy of delaying the cases that it has been carrying out for years.

*“They file a petition and you do not hear anything. That’s how it starts. Because the Senate Administration thinks ‘we can sit this out’. Then after three months they threaten to take an action to compel the performance of an act, or discreetly hint at it. Then comes the answer ‘we never received the petition’. Then it is filed again. Then silence. Then the Senate Administration said ‘you are – somehow - too narrow in your understanding of Islam’ or something like that. (...) It went constantly back and forth.” (B)*

However, the online version of the weekly *Der Spiegel* quoted the Senate Administration for Education acknowledging the fact that, in spite of supposed connections to the organization Milli Görüs (under surveillance by the *Verfassungsschutz*) the IFB itself had not presented any kind of programme rejecting the constitution. The Senate Administration instead criticized the education by the IFB that:

*“did not enable pupils to critically deal with their religion. Also the equality of man and woman could not be described as in line with the constitution.” (Ströbele, 2001).*

The website however also quoted the respective judge, saying it was not

*“the duty of religious education, to communicate doubts about the trueness of their faith to the pupils. If criticizing Islam for failing to support gender equality, the Catholic Church would also have to be attacked. (...) As long as the equal position of men and women in the German state are not denied within the teachings, there is no reason to intervene.”*

#### *The beginning of Islamic religious education – ‘gritted teeth tolerance’*

After the IFB had been given permission to teach at public schools, the scepticism towards them remained high. A representative of the IFB describes the attitude of ‘gritted-teeth tolerance’ towards the religious teachers in the beginning:

*“You have to imagine moving into a house where you are not wanted. And we were not wanted. You have entered through legal action. There were reservations. One did not want us. There also was no willingness to cooperate with us. But eventually one had to do it. Therefore in the beginning there were quite a lot of problems that we had to deal with. They were also partially... I don’t know if they were structural, or personal, if the individual people were deciding for themselves or if it was mandated by the Senate Administration. They did cooperate with us, but also gave us the feeling: actually we do not want you.” (C)*

The interviewee also explains that the Islamic education had begun at a most unfortunate point in time, because the terror attacks of 9/11 had triggered a negative debate about Islam and Muslims.

*“We were not judged by what we accomplished, but by what the had media said. I’ll give you an example: when teachers had been working there for some time, many headmasters said to them ‘We’re*

*glad that you're here and not the others' - meaning the other fundamentalists, so to say. I heard almost every teacher saying that and eventually asked during a teachers' meeting: 'Is there anybody who hasn't heard this statement?' Everybody had heard it."* (C)

Shortly after the beginning of the religious education the Berlin daily *Der Tagesspiegel* quoted the IFB reporting that at one of the schools where they were about to teach, the Muslim teachers were not allowed to enter the classrooms. (Vieth-Entus 2001)

As a vivid sign of distrust, the Senate Administration for Education has carried out individual examinations with its teachers concerning their loyalty towards the German constitution since the beginning of the IFB's religious instruction at public schools performs.

*"We now have someone observing every term – unheralded. This means the headmasters come into the class, listen and complete a report. And they observe if you are against the constitution or not. (...) We have still five years in front of us. Following the code of practice for the instruction of religions and worldviews, a religious community that comes into a school can be monitored for 15 years. And after that there is a certain examination."* Asked, if this was a new regulation, the interviewee explained:

*"Only for us. That has been designed especially for us."* (C)

#### *After ten years of Islamic religious education – an ambivalent picture*

With regard to the situation of the teachers of the IFB at public schools today however the representative of the organization drew a much more positive picture:

*"The teachers at school realized that the Muslim teachers are normal human beings, that they deal with normal issues and most importantly, that they sometimes even cause something positive. If you somehow persuade children that violence and bad language, that mutual teasing are not good, and if you also talk about this in religious class, then they realize: 'Hey, they do exactly what we want.' And this was exactly the point, where we realized: It's working better with the schools. When one got to know the other. And by now this is running by itself. And the schools cooperate really well and support us."* (C)

When asked if all schools cooperated in this way, he explained:

*"Except for one or two. But otherwise there are hardly any problems. There are no problems at all."* (C)

However, when talking to individual teachers, both from the IFB and others, the situation does not seem to be as positive as described above.

One female teacher of the IFB explained in an interview for this research how some of the teachers at the two schools where she taught would cooperate with her and use her as a connection to the Muslim pupils, while others completely ignored her.

*"They would not say hello to me. They take pupils out my class just after it starts. And if I send a pupil to bring him back, saying 'No, he has Islamic education class now, he has to come here', the pupil comes back and reports 'Mrs X (the class teacher) said I don't care what the Islam teacher says about that.' Or another example: I do not get a room. And it is not only me, it's the same for my colleagues. There is still one of us, (...) who is not allowed to enter the teachers' room and make copies there or anything else. He does not have a key for the teachers' room."* (O)

Although she explains that the Islamic religious education is generally well received and no complaints have ever been heard, she describes, how they still are 'forth class teachers': *"Second class are the contract teachers and the assistant teachers, which we partially have again, or the trainee*

*teachers. And third class are the religious teachers, and actually fourth class are the Islam teachers.”*  
(O)

Another interviewee, a teacher of ethics classes among others, quoted a representative of the *Humanistischer Verband* (Humanistic Association) who organizes ethics classes at public schools, from conversations with colleagues from the IFB:

*“outrageous stories, (...) existed there... until the religion colleague from the Islamic Federation noticed that he was being audio monitored in class, at a school in Neukölln (district of Berlin).”* (D)

Although the schools were entitled to monitor Muslim religious classes once a term and observe the content of the classes, this particular school obviously did not even trust that the teacher spoke openly when the headmaster was present. The effects of the discourse around the concealment of their true positions by Muslims and Muslim organizations, particularly those such as Milli Görüs or the Islamic Federation under surveillance by the *Verfassungsschutz*, (‘what they say is not what they really think’), can well be observed in this need of the school to secretly – and illegally – audio monitor the IFB teacher.

Another interviewee and teacher at public schools explained that generally among the teaching staff great reservations towards Islam and even anti-Muslim stereotypes existed that had different causes:

*“There is a Christian line of tradition, but there are also within enlightenment these anti-Islamic stereotypes, and among teachers they exist too. They are here rather part of the problem than part of the solution. (...) I believe that this has to do with the attitude of the majority society and teachers are just a part of it.”* (D)

Judging from the experiences of individual teachers the situation of the IFB teachers still seems to be quite tense at some schools, while at the same time they are appreciated as mediators in school conflicts concerning Muslims at others. The fact that the representatives of the IFB seem to stress the positive developments while largely downplaying the remaining problems might be interpreted as an attempt to further remove the tension from the situation in schools and in contact with the Senate Administration for Education and to further develop a situation of forced tolerance into one of acceptance and even respect at public schools.

Even though the legal right to offer Islamic religious education at state schools was finally achieved in 2001, it has caused a hardened atmosphere between Muslim organizations and educational institutions in Berlin, a situation which is comparable with the case of the Muslim pupil fighting for his right to pray in school at the court level. Concerning this case a headmaster stated:

*“If we have a court judgment that obliges us, we are forced to formally enact things, which heightens the rejection even further.”* (E)

Some interviewees also highlighted the fact that cases that are brought to court can turn into mere power struggles, where winning or losing the case tends to become more important than the actual content.

## Discourses on Islamic religious education at public schools

### *Islamic religious education as an issue of equal treatment and recognition*

An interviewee who had worked in the field of integration for many years criticized that educational politics had not dealt with the issue of Islamic religious education a long time before the actual court case with the IFB started.

*“I can remember, when I was deputy chairman of the GEW (trade union for education), Hanna Renate Laurien from the Senate for Education was here. I had put through this Islamkunde (religious*

*instruction without a denominational basis) within my atheist GEW, which has since been demanded by the TBB (Turkish Federation of Berlin Brandenburg) as a demand of the GEW. Laurien said that there is no need for action. In eighty-seven! If in 1987 in Berlin you say there is no need for action for Islamic religious education, then I don't know!"*

(B)

The interviewee explains that in the late 1980s even secular organizations such as the TBB and the GEW already supported some kind of Muslim religious instruction at public schools in Berlin. He further explains that the TBB, even in its foundational declaration in 1991 demanded,

*"that for reasons of equal rights, of equal treatment, the question of Islamic religious education should be resolved."* (B)

He further refers to the basic right to religious education guaranteed in Article 7 of the German constitution.

*"So we need not – however we may think about religious education at school –debate it any longer. Therefore the question of equal treatment is the most important. If various Christian and other religions have this right, and this is also carried out in practice, it actually has to be accepted as a right for Muslim children. And then it must be considered how this can be realised, because there is no church in Islam."* (B)

Also other interviewees, teachers and former teachers supported Islamic religious education for reasons of equal rights although personally opposing the idea of religious education at public school altogether.

*"As long as denominational religious education for Catholics and Protestants is offered, I will fight for it to be offered for Muslims as well. But generally I hold the opinion that religious education has no place in school."* (A)

*"Although I personally know many very engaged religious teachers, I actually hold the opinion that religion, no matter which form, has no place at all in a public school.(...) But when it is there, it has to serve everybody."* (J)

A teacher of the IFB in Berlin explained in an interview that the fact that Islamic religious education was taught in public schools in Berlin today was an important sign of acceptance and recognition for many Muslim citizens. Especially as the general perception of migrants and Muslims in school and society as a whole was still one of foreigners than of equal citizens, even small contributions of Muslim pupils to the school culture would play an important role.

*"For 50 years they have been told that they could not become Germans. (...) For me all these children are German. We speak German in class."* (O)

She described how many teachers do not perceive their pupils with migration history as Germans and as an equal part of society. In order to offer them another self-perception, one that conciliated being German with being Muslim, she tried to contribute to the general school culture with the Islamic class. The headmaster of one of her two schools supported her and allowed her class to present a Muslim song at a general school celebration.

*"The parents were enthusiastic. I received double the number of registrations after that. They were simply delighted that something that belonged to them had a place too. Three minutes in this half an hour school term celebration.(...) They felt accepted, they felt recognized, they felt welcome."* (O)

She explained how these small symbolic moments could easily open doors and the hearts of the Muslim pupils and parents and the often difficult communication with teachers could quickly be established.

Other teachers also referred to the general necessity to increase a culture of recognition towards non ethnic German and/or Muslim children at public schools. One female teacher, who also works as a teacher trainer, said:

*“Everywhere where schools do good work for children with migration background regarding language education, an interplay of different factors is crucial. It is a good cooperation with parents, then a collaboration with institutions in the school context, migrant organizations, Quartiersmanagement (specific programme for socially deprived areas), and so on. And what is also important: to express a culture of recognition.” (A)*

#### *Islamic religious education as an issue of state control over religious minority*

Looking at the national level, the public debate about Islamic religious education at public schools across Germany has also been brought forward by German public officials over recent years who strongly support the process of its implementation. The German Islam Conference (*Deutsche Islamkonferenz – DIK*), where German politicians and representatives of Muslim organisations as well as individuals with some kind of Muslim background have regularly met and discussed relevant issues since 2006, explicitly opted for the implementation of Islamic religious education at public schools and founded a specific working group within the *DIK* to implement this project.

However, the interests of German public institutions in establishing Islamic religious education generally differ from those of most of the Muslim representatives. The Islamic studies scholars Kiefer and Mohr explained this difference in motivation between the two sides – the Muslim communities and the German state via the *German Islam Conference DIK* – as follows: The Muslim organizations were mainly “striving for the acceptance as a religious community by the state”, while the public actors “... advocated an Islamic religious education mainly as an instrument of the prevention of extremism” (Kiefer & Mohr, 2009: 206; translated by the author).

How this prevention of extremism is meant to be supported through Islamic religious education can be seen from an interview with a Muslim teacher in the federal state of Lower Saxony, who has been involved in the yearlong process of establishing Islamic religious education in Lower Saxony. She strongly criticised that the *DIK* tried to influence the content of the future Islamic religious education, despite the German constitution defining the authority over theological content of the religious education as lying with the religious communities themselves. One example the interviewee gave of the – in her view - (mis-) use of Islamic religious education, was the demand the *DIK* made of the Muslim organizations to incorporate tolerance as an educational goal into the curriculum.

*“The Islam Conference 2008 for example tells us to educate the pupils towards a willingness to tolerate (toleranzbereit) and that they shall develop an attitude of tolerance. The Islamic education should do that.” (K)*

The interviewee does not focus on the fact that this demand indirectly proposes an actual intolerance of Muslim children and a specific need of Muslims to be educated towards tolerance, more than members of other religious communities. She rather criticizes a perceived inequality of the treatment vis-à-vis the Christian denominations.

*“If you look at the curricula of Catholic and Protestant [religious education], then you see that within the curriculum of the Catholics the expression tolerance does not even appear. Then you look at the guidelines of the bishops and you realize that the concept of tolerance is missing.(...) They have created wonderful guidelines, really good. (...) But tolerance does not play a role, only respect. You know...but respect towards the other. (K)*

In this statement, the discomfort of the interviewee with this selective political application of the concept of tolerance becomes evident and especially with tolerance being demanded of one religious

community exclusively. While ‘respect’ seems to be self-evident for her as a concept inherent to religious education in general, the public demand of education towards tolerance is interestingly perceived as going beyond respect. This is noteworthy, because tolerance is generally understood as ‘less than respect’. If differing attitudes are tolerated, and, despite being disliked, not actively opposed, nor respected.<sup>73</sup> Rainer Forst uses the word tolerance for both attitudes, defining one as an ‘allowance-conception’ (*Erlaubniskonzeption*) of tolerance, where a different attitude or practice is permitted but not liked and can also be prohibited by the will of the more powerful party; and the other as ‘respect-conception’ (*Respektkonzeption*), which describes recognition of and respect towards different attitudes and practices<sup>74</sup>.

The interviewee in the context of tolerance being demanded by the state as an outcome of Islamic religious education positions this tolerance in a very different way however, as more than respect, when she complains that the Christian churches ‘only’ talked about respect, but did not mention tolerance.

Respect seems to be something clear, logical and (in the view of the interviewee) easily granted towards other religions whereas tolerance (especially the demand to be tolerant) may not be as clear and precisely definable. There is not one clear definition of tolerance and it can even be used to describe different and even antagonistic views. **Indeed, it might be this vaguely defined, sometimes inconsistent and simultaneously moralistic character of the concept of tolerance that makes it attractive for use in public discourse by different actors and for different purposes. For example, the concept of tolerance can be used to demand openness to diversity, but also the adaptation by minorities to the majority society by defining the acceptance of values of the majority as a sign of tolerance, while adhering to different values and practices is swiftly labelled ‘intolerant’.**<sup>75</sup>

In this context of the *DIK* and the demand of tolerance as an educational goal of Islamic religious education, the vague usage of the concept of tolerance seems to fit the wider discourse about Islam in Germany. Within the dialogue between the public representatives and the Muslim communities and individuals (particularly the *DIK*), vague ideas and concepts have been criticised by Muslim members who have by and large been asked to subscribe to German values, without those values being clearly defined (Schiffauer 2010). The refusal to accept this proposal due the ill-definition of concepts was then presented to the German public as the unwillingness of Muslim organisations to subscribe to German values (Reimann, 2007), rather than the refusal to subscribe to ideas and concepts which are ill-defined and thus can be used for different and even inconsistent purposes.

The application of the tolerance conception and the insistence on tolerance from one specific religious minority by a national political institution, the *DIK*, can in consequence be perceived as the drawing of political borders between those that belong to the trusted in-group, and those that do not. In this case the Christian denominations that self-evidently determine their curricula without interference are the in-group, while the Muslim representatives and Islamic religious education are the out-group, having to establish themselves and prove their trust-worthiness. Perceived tolerance or intolerance of the

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<sup>73</sup> For different concepts of tolerance, respect, acceptance and recognition please see the different contributions to the theoretical frame and background of the project ACCEPT Pluralism and the overview report: Tolerance and cultural diversity in Europe: Theoretical perspectives and contemporary developments by Dobbernack and Modood, drawing on contributions of Bader, Honohan, Mouritsen, Olsen, Schiffauer and Triandafyllidou (2011); <http://accept-pluralism.eu/Research/ProjectReports/NationalDiscourses.aspx>

<sup>74</sup> Forst, R. (2003) *Toleranz im Konflikt*, Frankfurt/Main, 45.

<sup>75</sup> The above mentioned argumentation of Johannes Kandel of the Friedrich-Ebert-Foundation in Berlin concerning the case of the prayer room at a public school for example was based on the idea, that too much tolerance (towards intolerant views and practices) could lead to a society becoming less tolerant in the end, because intolerance was tolerated too much and in the end proved stronger than tolerance. The widely heard slogan ‘no tolerance towards intolerance’ thus often implies restrictive arguments and practices towards certain groups and minorities, that are supposedly less tolerant than the majority.

respective group is itself the marker of the border between the in- and the out-groups. Obviously the Muslim pupils are perceived as being in special need of tolerance-education and Islamic religious education – especially when under the supervision of the state – is perceived as one goal towards this end.

The interviewee particularly criticised the unequal treatment of Christian and Muslim religious groups in regard to the basic right to religious freedom:

*“(...) And I think, this is alright, if they perceive themselves in this way, because this is also religious freedom. But that shows, we as Muslims are told, what the content has to bring about this educational instruction (...). This religious freedom, that we are defining the content, is actually restricted. And so the religious education is actually exploited for solving integration problems. (...) That is exactly the problem, if one says ‘the willingness of Muslims to integrate grows, if they have Islamic religious education’ or ‘...it is a means of increasing the integration of Muslims in this society.’” (K)*

The interviewee seems to be especially disturbed by the fact that Islamic religious education is perceived as a means towards integration, especially as she mentions it in the context of the constitutionally granted right of the community to define religious content without interference, which she sees as under threat. The perceived political attempt to interfere in religious instruction in order to make Muslims conform more is possibly seen as particularly problematic as it touches upon the very core of minority religious identity and their basic constitutional and human rights.

The question of Islamic religious education at public schools is extremely relevant because issues of representation and participation are negotiated here. In recent years Muslim communities have been asking for this basic legal right granted by the constitution more self-consciously and have simultaneously aimed to get legal recognition as religious communities. As the legal regulations demand a cooperation between the public institutions and the respective religious communities, one of the biggest problems of the implementation of the religious classes was to find the appropriate Muslim organization or federation with whom to design the religious education in line with the constitution, as hardly any organization is legally acknowledged as a religious community.

As described above, Berlin has legal exceptions from Article 7 in the German constitution, which enabled one Muslim organization, the IFB, to acquire the right to give religious education at public schools, after several years of court cases. The focus of the court cases was the question of whether the IFB could be acknowledged as a religious community in the legal sense, which then automatically enabled it to give religious education on their own authority in any public school in which enough pupils wanted to take part in the elective classes. The legal situation did not entail the state providing religious education at public schools, but guaranteed the financial provision of the classes and the teachers' salaries. Despite its having different legal situation, Berlin's extensive experience with Islamic religious education may offer an example for other regions and help avoid unnecessary mistakes and hardships.

To date all the different models of religious education that have been developed in the various federal states have been, with the exception of Berlin, labelled as transitory stages or model tests because the central question of a (legally accepted) religious community as partner of the state has not been finally resolved. In some federal states, such as Lower Saxony and North Rhine Westphalia, advisory boards have been created to represent the Muslim communities for want of an officially recognised religious community. They are designed to ensure the possibility of starting Islamic religious education even before the question of representation has been resolved. However, the compositions of the advisory boards of different federal states are different. While in Lower Saxony representatives of the Schura (a coalition of different Sunni Muslim communities) and Ditib (closely connected to the Turkish state) form this board, in North Rhine Westphalia Islamic scholars are supposed to take part in the board in addition to the representatives of Muslim organizations. In both federal states the regular Islamic religious education at public schools in the whole state has been announced for 2012, for which the

final regulations of the representation are crucial. It is particularly the latter regulation of the board, which also concerns members from outside the Muslim organizations, that is causing a major concern among parts of the Muslim community that their basic constitutional right to religious self-determination could be at stake.

### Concluding Remarks

Concerning the Islamic religious education in Berlin it can generally be concluded that on the one hand the teachers and their classes are appreciated by a number of schools because they are able to both mediate in conflicts and specific issues concerning Muslims and have a positive influence on the Muslim pupils and their situation within the wider school context. On the other hand the deep-rooted scepticism towards the organization and their teachers, and partially to Islam in general, can still be found in certain schools.

The fear of influence or even indoctrination by certain Muslim organizations is quite strong in the educational landscape of Berlin. One headmaster even told the interviewer, who wore a headscarf, that wearing this kind of clothing bore the *“danger of being misused as a ‘liberal figurehead’”* by those who themselves continued to oppress women. He thus saw the headscarf as a sign of the oppression of Muslim women, and even if this might not have been applicable to the interviewer herself, he still imagined some kind of Muslim organisation behind the interviewer which could use her apparently liberal attitude and lack of oppression to disguise their own (conservative) attitudes and goals. This sphere of mistrust towards religious Muslim organisations could also be observed in the case of prayer at school, where many interviewees held the opinion that the driving force behind the pupil was not only his father but a dubious religious organisation trying to enforce its own agenda, even though nothing of this nature had been mentioned in any newspaper article about the case.

With the long public debate about the Islamic Federation of Berlin and their supposedly problematic background, in this case a concrete focus of scepticism and even hostility had been formed which seems to have subsided only very slowly. It coincides with a general scepticism towards Islam as a whole that is actually rising in German society and not excluded from the school setting. One non-Muslim teacher in Berlin declared:

*“The Sarrazin debate<sup>76</sup> has mobilised forces, mobilised attitudes, that has had a worsening effect, a disastrous worsening effect.”* (A)

Looking at other federal states, where the provision of Islamic religious education at public schools is currently being developed, the crucial question will be whether a real recognition and acceptance of the religious organisations and their right to define the religious content of the classes will be achieved. This will probably be an important prerequisite for Muslim parents in accepting the Islamic religious education for their children and in order for the Muslim parents and children to feel accepted and recognised in German public schools in general, with their religious particularities.

The other challenge seems to be the reconciliation of the different intentions of the Muslim organisations and the public authorities, both trying to bring Islamic education at public schools forward.

The concept of tolerance tended to have an excluding function when used by public officials, with demands that tolerance be taught to the Muslim children (with the implication that they are intolerant). Muslim teachers, organisations and other actors in civil society however mainly used the concepts of acceptance and recognition when referring to the negotiations with the public authorities, and to the necessity to develop an inclusive school culture.

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<sup>76</sup> Anti-Muslim discourse around “Deutschland schafft sich ab” (Germany does away with itself) by Thilo Sarrazin, former board member of the German Federal Bank.



Regarding possible policy recommendations on the local level in Berlin, the Berlin Senate for Education together with regular schoolteachers, headmasters and representatives and teachers from the *IFB* should consider organising possibilities for encounter between the teachers of Islamic religion and the regular schoolteachers. One interviewee working for a school project had described her experience with establishing this kind of contact at one school, where a schoolteacher had asked her to talk to the *IFB* teacher because she did not dare to herself. After getting into contact with him she appreciated the contact. This indicates that the contact at some schools might still be poor and that prejudice still prevails.

Similarly the headmasters of the public schools that offer Islamic religious education should consider actively integrating the *IFB* teachers into the school teams. This would both offer them equal opportunities and rights and counter hierarchical thinking between different kinds of teachers, but also make better use of the specific skills of the *IFB* teachers, such as being able to mediate between (religious) Muslim pupils and parents and non-Muslim pupils and teachers in potential areas of conflict.

At the national and state levels the political representatives together with the representatives of Muslim organisations should investigate all possible ways of acknowledging the Muslim organisations as *Körperschaften des öffentlichen Rechts* (corporations under public law). This is a basic prerequisite for close cooperation with the state, similar to that enjoyed by Christian churches, and would allow for Islamic religious education to be the responsibility of the Muslim communities as guaranteed by the constitution. It would assist with dealing with other issues of religious practice that have already arisen or may arise in the future.

## **Conclusion**

The two cases presented in this chapter both concern issues of Islam, Muslims and Muslim religious practice within the setting of German public schools. They differ however in many aspects. While the case of the prayer room mainly concerns the question of visible and lived (Muslim) religiosity within the general setting of the public school, the case of Islamic religious education is located on the margins of the public school life. It is organised and carried out by a Muslim organisation that does not belong to the public school setting itself, but has a kind of guest role.

The former case concerns the question of religious freedom of the individual, in this case the individual student, in relation to the school, its members and the school administration. The latter case is more relevant for the question of the rights religious groups, specifically the right of a specific religious minority community to carry out religious education at public schools. It also touches upon the wider question of recognition of Muslim communities by the German state and the question of close cooperation like that has traditionally linked the state and Christian churches.

Both cases deal with conflicts, which had eventually been negotiated before going to court. While the court case concerning religious education had lasted nearly 20 years and was settled some years ago, the case of the prayer room is still ongoing.

Another difference is the age and status of the people involved. The *IFB* is a Muslim organisation of adult persons, many of them former immigrants, who have some access to financial resources and legal advice within their organisation. The Muslim pupil and his father however are individuals, the pupil a minor, with limited access to legal advice and financial resources. The father of the boy, who was the one initiating the court case, has no immigrant background, but is a converted ethnic German.

As both cases were taken to court they can both serve to illustrate conflicts regarding Muslim religiosity and public schools, that were not solved with good understanding, but represent strongly opposing views and attitudes of the individual cases but also towards the role of (minority) religion in public schools in general.

For this reason they are both illustrative of the how different actors deal with this opposition and how the concepts of tolerance, acceptance and respect are applied within the debates. As Islam and particularly Muslim practices in school have been widely debated in Germany within recent years, these two cases not only illustrate the way respective actors deal with those concepts, but also how they are applied nationally and in wider public discourse about Muslims and Islam, specifically in relation to school life.

Tolerance is probably the concept, which is used the most often in the context of (religious) diversity, but can be rather vague and at times paradoxical. It is used in different ways by different actors and for different purposes.

In the case of the prayer room, the first court (*Verwaltungsgericht*) used the concept of tolerance in connection to respect, saying that a common prayer room for all children at school could help them to learn mutual tolerance and respect. The court thus referred to an understanding of tolerance that might best be described by the ‘respect-conception’ of tolerance (Forst 2003). This sees tolerance as a virtue that is mutually given by different partners, but goes beyond mere forbearance of the other towards respect of the other’s views and attitudes.

The second court level (*Oberverwaltungsgericht*) and the Berlin Senate Administration for Education framed tolerance in a different way by perceiving it as too weak an instrument for securing peace at a diverse school. This view sees tolerance as a practice that could even lead to increased incidence of conflict at school, if too much (different) religious expression is tolerated. The understanding of tolerance is here a rather exclusive one, close to the ‘allowance-conception’ of Forst. Here one party has the power to tolerate the other or not, and tolerance is granted (or not) in spite of inner rejection of the other or his or her practices and views.<sup>77</sup>

It is within this ‘allowance-conception’ of tolerance that the representative of the Friedrich-Ebert-Foundation talks about the question of the prayer room at a Berlin school and asserts the demand of ‘no tolerance for intolerance’. With this slogan, widely heard in the public discourse about Islam in Germany today, the concept of tolerance is even perceived as a threat to peace and public order, especially if it is applied in relation to people and groups who are perceived as not tolerant themselves. As Islam and Muslims are often portrayed as having intolerant attitudes and practices, from homophobia to misogyny and rejection of other faiths and world views, the slogan ‘no tolerance for intolerance’, which had traditionally been used when rejecting rightwing extremism and violence, turns into an agent of and justification for restrictive and illiberal views and politics towards Muslims.

This rather intolerant effect of the concept of tolerance conforms to a new ‘principled intolerance’ of liberalism (Dobbernack & Modood 2012, 18f), which has been analysed in a threefold manner: The first modality of this new liberal intolerance is concerned with the protection of the cohesion of a liberal society, the second is concerned with the liberal divide between public and private and the third with the creation of a particular type of ‘liberal people’, who lead responsible, autonomous lives.

Concerning the issues of the prayer room and the Islamic religious education all three modalities of this ‘new intolerance’ can be found in arguments and actions of different actors.

In the case of the Islamic religious education at state schools the concept of tolerance is explicitly referred to by one of the Muslim teachers who quotes the *DIK*, the German Islam Conference, setting tolerance education as one of the major goals of the religious education.

The interviewee only criticises the interference of the state with the content of the religious education, for which there is no provision in the constitution. She is also uncomfortable with the concept of

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<sup>77</sup> This perception also comes close to the classical definition of toleration by Preston King, for whom toleration always implies a tension between two ‘components’ (King 1976, 44-54): objection and acceptance.

tolerance as something demanded from Islamic education only, whereas texts by Christian institutions regarding religious education referred to respect towards other religions but not to tolerance.

Although respect is usually perceived as the stronger form of acknowledgement of others than tolerance, it is the vague and often paradoxical character of the concept of tolerance that raises the concern of a broader form of interference of the state into the content of the religious education. In contrast the concept of respect raises fewer concerns, as it can be defined more easily.

The application of the concept of tolerance, especially in the context of the *DIK*, thus implies what has been named above as the goal of ‘protection of the cohesion of a liberal society.’ It also touches upon another discussion, led in the context of the *DIK*, about the German values to which the Muslim organisation should subscribe (the *Leitkultur*), that ensure cultural homogeneity in the face of growing social and religious diversity. However, there is no clear definition of these values. This also directly links to the third modality of the ‘new liberal intolerance’ mentioned above, which is especially relevant in the field of public schools: the creation of a particular type of ‘liberal’ people, who lead responsible, autonomous lives. As Islam and Muslim religious practice is often seen as contrary to this aim, one of the interests of the public institutions in the field of Islamic religious education might be – at least as part of the concerns of the Muslim representatives - to reform religious Muslims. Religious Muslim practice, such as wearing headscarves or praying in public, seems to go against the liberal project and could be controlled in order that they better fit the accepted individualist and somehow ‘privatised’ model of religion.

Another aspect of the concept of tolerance, and the border of what is tolerated, is a certain power for drawing social borders between the respective discourses and practices. Both tolerance and intolerance of certain groups and practices invoke a degree of power inequality, because the tolerating entity (in this case the public institutions) can always withdraw this tolerance, as tolerance is not the granting of a legally confirmed right but a voluntary act of ‘allowance’. Especially the invocation of tolerance of a presumably less tolerant individual or group – in our analyses Muslim pupils, parents and organisations – is a strong means of drawing boundaries in society. As Wendy Brown puts it: “Its invocation draws spatial boundaries of dominion and relevance, as well as moral boundaries about what can and cannot be accommodated within this domain” (Brown 2006, 29).

Following the logic of the slogan ‘no tolerance for intolerance,’ the individual or group labelled as intolerant is quickly excluded as the non-acceptable. The definition of who and what is tolerant or intolerant however strongly lies with the more powerful actors in the public debate, like political representatives and state institutions.

In the case of prayer rooms at schools one of the non-Muslim teachers strongly defined any kind of proselytising attitude or behaviour as intolerant and thus beyond the border of the acceptable. While he did not see the prayer in school as an act of proselytism as such and could still tolerate it, the representative of the Berlin Senate Administration for Education cited an Islamic scholar in defining the Muslim ritual prayer as an act of proselytism per se, because it was highly visible due to defined bodily movements and often performed in groups. This definition was among the main arguments of the Senate and the respective school authorities to not grant a room for prayer in public schools.

This excluding power of the tolerance concept and discourse may be one of the reasons why neither Muslim individuals nor organisations in either case referred to the ideas of tolerance when claiming religious freedom of individual pupils, (performing the prayer at school for example) or the rights of minority religions (giving religious education at public schools for example).

Similar to the Muslim pupil and his supporters who referred to religious freedom as a basic principle of the constitution, the Muslim organisation *IFB* and the other Muslim organisations trying to implement Islamic religious education at public schools in other federal states referred to the right to religious education, guaranteed in Article 7 of the constitution.

The application of the concept of legal rights and the aversion to the invocation of tolerance by the *DIK* in the case of the Muslim teacher can be seen as an attempt to discuss these issues as a legitimate part of German society and not a tolerated outsider.

Another important argument of the Senate Administration for Education and the respective school administration against the provision of a prayer room was the question of the religious neutrality of the state and its institutions. This neutrality of the state – that had already justified the headscarf bans for teachers at public schools in Berlin and other federal states – was interestingly perceived differently by the different courts. While the first court did not see the neutrality at stake through the provision of a prayer room, the higher court defined the state neutrality in a more laic sense and decided that the provision of a room for religious purposes would interfere with the strict neutrality of the state. As mentioned above, the understanding of the German constitution of religious neutrality of the state is quite different from laic states as such as France or Turkey, but allows for close cooperation by the state with religious institutions and for the support of religious activity as long as no religious community is favoured over others as any form of state religion.

However, the debate about Islam over the last ten years has particularly supported a kind of ‘laicisation’ of the understanding of state neutrality and can be seen as a means to limit the Islamic religious expression and practice at public schools and other public institutions, something generally perceived as alien to German culture and values.<sup>78</sup>

At a public discussion about the court case of the prayer in Berlin, Hans Michael Heinig, a professor for church law, explained that there were actually three alternatives debated among experts concerning the further development of the *Staatskirchenrecht* (the law affecting the church and the state) in the future:

Equal treatment before the constitutional law regarding religion (*Religionsverfassungsrecht*)

Hierarchisation through the privileging of the Christian denominations

Laicisation of the religious legal order.

The privileging of Christian denominations (as seen in the debate about *Leitkultur*) and the laicisation of the religious legal order (with the changing perception of state neutrality towards religion as described above as an example) are widely heard in public debates about issues of religion in general and Islam in particular, Heinig explains. However, in his view the option of equal treatment before the *Religionsverfassungsrecht* is by far the best option, also in terms of compatibility with EU law.

He further states that tolerance as a concept should not feature in the legal debate. The toleration of people with a different faith would be only a pre-stage to religious freedom, which has already been secured, and as an individual virtue of the citizens it is no legal duty. He also explains however that an intelligent legal framework on religion could support tolerant attitudes amongst citizens and a non-intelligent could one hinder this tolerance.

On the other hand he called religious tolerance as a virtue an important tool of extrajudicial conflict-management. Here he situated the connection between tolerance and religious freedom as an object of legal protection:

*“The more intolerant a society is, the more important the effective enforcement of religious freedom becomes, but also the more precarious the claim towards enforcement of the law becomes within the society.” (FES, Nr.38: 6)*

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<sup>78</sup> Regarding the different application of state neutrality towards issues concerning Islam and issues concerning Christianity please see the discussion about headscarves versus the discussion about crucifixes layed out in the first German report of the Accept-Pluralism project (WP1).

Concerning the prayer case, many interviewees explained that the headmaster of the school concerned in Berlin had a very antagonistic attitude towards Muslim prayer at school and that the young man had no other option in order to secure his perceived religious right to pray at school other than going to court. This would support the view cited above, that the less tolerance a society – or sub-system in society – shows, the more important the effective enforcement of religious freedom is.

On the other side tolerance of the prayer at school is even seen as a possible way of handling the issue by many of the actors who generally opposed a prayer room. It could thus be perceived as the virtue of the citizens, and seen as necessary for extrajudicial conflict management in society. . The moment however in which more than voluntary tolerance is demanded, namely the enforcement of a legal rule, this tolerance seems to become diminished.

Similarly with the introduction of the religious classes of the *IFB*, the legal process was a necessary step for the *IFB* to reach their goal and be granted the right to teach in public schools. Despite the intolerant attitude of the Berlin Senate Administration towards them, once they started working in the public schools, which had been legally forced to accept the organisation, the Muslim teachers felt the effect of a compulsory ‘gritted teeth tolerance’ of the teachers and the administration towards them, which made them feel like an unwanted guest in someone else’s house. The enforcement of the legal rule – and probably also its reporting by the media – seems to have further diminished the tolerance towards the Muslim teachers and their work at the public schools in Berlin, at least regarding the first years of work.

This shows that the concepts of intolerance, tolerance, acceptance and respect are not always unilinear, one following the other in openness towards difference and diversity, and that even the virtue of (forbearing) tolerance can on the individual basis be an important factor for a peaceful living together. On the structural and legal level however tolerance is not an applicable concept to the debate about the acknowledgement of minority religions. As Heisig explained, as the toleration of people of a different religion and their practices it would only be a pre-stage to religious freedom, currently one of the basic pillars of the German constitution.

The lesson learnt could thus be, that tolerance of other beliefs and practices as an individual virtue should be supported in society, while on the structural and legal level the equal treatment of all religious communities should be the only goal and concept of debates.

However both are also mutually dependent, and the equal legal position of Christianity and non-Christian religions, namely Islam might not be at all self-evident to many Germans. As the debates of recent years were led by leading public figures and often implicitly or even explicitly labelled Islam as an alien religion outside the German *Leitkultur*, they strongly influenced the attitude towards Islam and Muslims within German society as a whole.

In consequence the attempts of Muslim individuals or even organisations to visibly introduce Islamic religious practices and teachings into public schools, the heart of the education of future society, has been received sceptically by many people involved. This then leads to unequal treatment, stigmatisation and even racism towards Muslim pupils and teachers within some public schools.

The individual attitude is thus not to be completely distinguished from structural and legal circumstances and debates, and especially public figures like political representatives on the local, regional and national level should be aware of their strong responsibility not only for equal treatment of all citizens and communities before the law, but also for individual attitudes and the current rising intolerance in society towards those labelled as others.

### Chapter 3: Extending the Limits of Intolerance – The Sarrazin-Debate and its Effect on Members of the targeted Minority

#### Introduction

In August 2010 Thilo Sarrazin, a prominent member of the SPD (Social Democratic Party) and then board member of the German Federal Bank, presented his book “*Deutschland schafft sich ab*” (Germany does away with itself) and incited a major public debate. In his book he laid out views and data about how immigrants, in particular Muslims, allegedly threatened the future of the country with their supposedly lower intelligence and higher birth-rate. While some considered these arguments as social Darwinist and outright racist, others perceived them as a form of liberation: the breaking of a public taboo that had been in place for too long. Sarrazin’s book and the debate that it incited influenced the discourse about integration, immigrants and Muslims in Germany so strongly that a time ‘before’ and a time ‘after Sarrazin’ can be discerned.

Although Sarrazin’s book was presented as a milestone in the breaking of significant taboos, the issues it raised in public debate and the fears connected to these issues were not new and were not discussed for the first time. Shortly after the reform of German citizenship law in 2000, the conservative politician Friedrich Merz (CDU) initiated a debate about the ‘leading culture’ of Germany (*Leitkulturdebatte*) and demanded immigrants to adapt to this particular culture, if they wanted to stay in Germany for good. The concept of *Leitkultur* – which was introduced in opposition and as an alternative to the idea of multiculturalism – expresses certain fears about the loss of ethnic homogeneity and cultural hegemony in the newly declared ‘immigration country’ (*Einwanderungsland*).

While the *Leitkulturdebatte* in 2000 had still focused on immigrants in general, the concentration on Muslims became stronger in the following years. The majority of immigrants to Germany had long been Turkish labour migrants and their children, whose major identity features became religion after 9/11: what used to be ‘Turks’ turned into ‘Muslims’ in the public perception and the ‘significant other’ (Schiffauer forthcoming 2013, Triandafyllidou forthcoming 2013) in German society was more and more perceived in religious terms. While the significance of so-called cultural difference was still debated as an important issue, especially in the sense that it might keep immigrants from fully integrating into society, religious difference was added to it and strengthened the perceived difference between (mainly Muslim) post-immigrant groups and majority society.

The appearance of the *Leitkulturdebatte* at the moment of a major reform of German citizenship law was not accidental. The legal changes that would eventually lead to a different understanding of society, one in which immigration would be an important characteristic and majority-minority relations would be in flux, were heavily contested. New discourses and political measures that questioned the social status of Muslims and their belonging can be viewed as attempts to construct a significant other and a national identity that would be defined in opposition towards what this ‘other’ represent (Triandafyllidou forthcoming 2013).

Societies of modern nation states are heterogeneous with regard to values, worldviews and ways of life. The construction of a certain group as the ‘significant other’ and as completely apart from the rest of society allows for collective identification in opposition to this group. As Schiffauer explains, this construction of the ‘significant other’ is achieved by means of a double negation (Hoffmann 1997): The first step is the construction of a certain group as adhering to values and practices, which are seen to stand in total opposition to the values and practices of the nation. In a second step, the nation and its values are constructed as the complete opposite of what the stigmatized group represents. In the course of such constructions of significant others, clear boundaries between the dominant society and members of the ‘otherized’ group have to be drawn. Schiffauer (forthcoming 2013) shows that

questions of tolerance, intolerance and especially a prevailing discourse of 'no tolerance to intolerance' play an important role in drawing these boundaries in public discourse and in political practice.

In an analysis of the debate about Sarrazin's propositions this chapter focuses on the drawing of boundaries in public discourse as well as on the relevance of this debate for German political practice and for the social reality of the targeted group. For this purpose we analyse in a first step the role of the media in the debate about Sarrazin and his statements, focussing on the possible effect the debate had on the construction of Muslims as the significant other in German public discourse. The extent of tolerance or intolerance towards a certain group and its members and practices arises more urgently where the boundaries of what counts as (in-) tolerable are more clearly drawn and defended. The question of (in-) tolerance arises where minorities are perceived to be strongly deviating or even opposing values and practices of the majority (Schiffauer forthcoming 2013). This leads us to the question of whether stricter boundaries that are drawn around Muslim 'difference' in political discourse also lead to heightened intolerance towards this group both in society and in politics and eventually to different political measurements regarding multiculturalism, integration and diversity. The question is, what the social and political effects of the Sarrazin debate, if any, might have been. In the second step of the analysis we therefore focus mainly on members of the targeted minority, on how the debate was perceived by them and if it changed their way of political engagement both on a local level and within political parties in general.

### ***Political participation of migrants and/or Muslims in Germany***

#### **Membership in political parties**

Before analysing the related debate, it is important to outline the contours of political participation of immigrants and their descendants in Germany so as to appreciate the specific context and timing of these debates. Germany had long upheld a predominantly ethnic conception of citizenship excluding not only migrants but also following generations from naturalisation. The German citizenship law has been notoriously reformed in 2000 opening up citizenship to the children of migrants and also relaxing requirements for citizenship acquisition for the first generation. Actually the most important outcome of the citizenship reform laws of 2000 was the possibility for children of immigrants to acquire German citizenship, if they were born in Germany. However, significant numbers among immigrant communities in Germany are still without German nationality; they remain excluded from national elections and many of them (ie. non EU-nationals) are also excluded from local elections.

Since the 1990s partner- and sub-organisations were formed for migrants within the established German political parties, mainly along lines of nationality such as the German Turkish Forum (*Deutsch-Türkisches Forum* DTF) close to the CDU or the Liberal Turkish-German Union (Liberal Türkisch-Deutsche Union) close to the liberal party FDP (Hunger, 2004 quoted by Müller-Hofstede, 2007). However full participation within the parties is limited to German citizens. Even politicians from post-immigration groups, who hold German citizenship, are confronted with unequal treatment within the established political parties (Schmitz/Preuß, 2009). This is one of the reasons, why in 2010 the first party founded mainly by Muslims with immigrant background, BIG (*Bündnis für Innovation und Gerechtigkeit* – Alliance for Innovation and Justice) ran for office in elections in the state of North Rhine Westphalia and in 2011 in Berlin.

Membership in organisations that are perceived as extremist or Islamist by the intelligence services can be another reason for exclusion from political participation. For example the membership in the Turkish Muslim organisation IGMG (Islamic Community Milli Görüs), has been a legal obstacle to naturalisation for a number of Muslim immigrants, which again prevents them from being a regular member of a German political party (Mühe 2007).

## The main political debates

Apart from the different migrant organisations mentioned above, a point of major debate is the question of representation of religious Muslim organisations vis-à-vis the German state. This question is of high importance in the current developments and negotiations regarding the introduction of Islamic religious education in public schools in different federal states, but is also vital for the establishment of Islamic theological chairs at German universities and many other issues. The question, who is entitled to speak for all Muslims in Germany or at least for the majority, is highly controversial.

Although openly religious Muslims are very rare on the political stage, even decidedly non-religious politicians with Muslim affiliation or simply with a family background in Muslim countries can trigger severe disputes as soon as they come into higher power positions. One such debate started in 2010, when the first politician with Turkish immigrant background, Aygül Özkan, was appointed Minister in the German federal state of Lower Saxony. When Özkan stated in an interview that both Christian crucifixes and Muslim headscarves should be banned from public schools, this statement was not perceived as an expression of strongly secular views, but as a Muslim onslaught on Christian crucifixes and religiosity (Spiegel online, 25.04.2010). The Minister was also criticised for being intolerant, although her arguments regarding crucifixes in school were perfectly in line with what the constitutional court had ruled. The blame of intolerance, which called into question the “tolerant” act of appointing a Muslim woman as Minister, was clearly due to her religious background.<sup>79</sup> As Schiffauer explains, this is a good example for the “standpoint epistemology” of the concept of tolerance. If a statement or a practice can be tolerated or not has a lot to do with who is the actor. *“The significant other is met with distrust, because all he represents challenges our vested opinions about the world”* (Schiffauer forthcoming 2013).

As a general trend, anti-Muslim views and statements have become stronger in a range of political parties, first of all the traditional right-wing extremist parties. In September 2009, shortly before the federal elections the NPD (National Democratic Party Germany) sent seemingly official letters to all political representatives from post-immigration groups, asking them to prepare for their return journey to their ‘home countries’ (Stern.de 22.09.2009). During the electoral campaigns in the *Land* Berlin in August and September 2011, the NPD heavily employed anti-immigrant and anti-Muslim slogans, such as “*GAS geben*”, which means ‘accelerating’ but literally taken means “giving gas”, thus hinting at the murderous practices of the National Socialists.

Apart from such overtly racist positions, new parties have been formed lately that use the fear of ‘Islamisation’ as their major focus of politics, while resisting their description as racist or anti-immigrant in general. Two newly founded parties, “*Die Freiheit*” (Freedom) and “*Bürgerbewegung Pro Deutschland*” (People’s Movement Pro Germany), have also been running for office in Berlin in 2011. Among their slogans has been “*Wählen gehen für Thilos Thesen*” (voting for Thilo’s statements) before the background of a crossed out mosque. The latter referred to the debate about Thilo Sarrazin’s book mentioned above and was changed into “*Wählen gehen für zensierte Thesen*” (Voting for censored statements) after Sarrazin was granted an injunction against the use of his name by the right-wing populist party.

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<sup>79</sup> In this case it seems as if her cultural or ethnic background was the reason for prejudiced against the Minister. Her arguments were in fact secular and even in opposition to headscarves and crucifixes in classrooms. The mere perception of the Minister as Muslim, due to her Turkish ethnic background, made her appear as a significant other and her comments about the crucifix as a particular affront to majority feelings..



### ***Boundary drawing in German politics: the role of the Sarrazin debate***

Overview of the two parts of the debate in 2009 and 2010

The then board member of the German Federal Bank, Thilo Sarrazin, had often been quite provocative in his public statements, especially with pejorative utterances about immigrants but also about socially deprived people. In October 2009 he had given an interview to the newspaper *Lettre International*, in which he declared:

*“The Turks conquer Germany just as the Kosovars have conquered the Kosovo: By a higher birth rate. I would appreciate that, if it were Eastern European Jews with an IQ 15% above the one of the German population.”* He further said: *“I do not have to accept anyone, who lives on welfare money, rejects this state, does not reasonably care for the education for his children and continuously produces new little headscarf girls.”*<sup>80</sup> (N42.de 2009)

After a great expression of public disgust about these statements the police investigated, if they qualified for prosecution under the criminal act of ‘incitement of the people’ (*Volksverhetzung*) and Sarrazin offered a public excuse, saying he had not wanted to discredit any specific community. One year later, however, he published his book *“Deutschland schafft sich ab”* (German does away with itself), where he further elaborated the above quoted ideas into a threatening scenario of the European future:

*“In every country of Europe the Muslim migrants, because of their low labour participation and high claiming of social benefits, cause more costs for the treasury than they bring in economic surplus. Culturally and regarding civilisation, the societal models and moral concepts, they represent, mean a step backwards. Demographically the enormous fertility of Muslim migrants constitutes a threat for the balance of culture and civilization within aging Europe.”* (Spiegel 23.08.2010)<sup>81</sup>

After this publication the Federal Chancellor Angela Merkel criticised the author and his statements as *“exceedingly offending and defamatory”* (Spiegel-online 25.08.2010)<sup>82</sup>, the Federal Bank did not want to keep Sarrazin as a board member and even the Federal President (*Bundespräsident*) Christian Wulff intervened until the author finally voluntarily resigned from this position. The book, however, sold about 800,000 copies and has considerably changed political life in Germany in a number of significant ways, some of which will be explained in the following analysis.

#### **Tolerance, Intolerance and Boundary Drawing**

These quotes from Sarrazin’s book provide examples for the articulation of public fears, which lie at the core of the process through which boundaries of tolerable and intolerable difference in society are drawn (Schiffauer forthcoming 2013). The anxieties and fears that are characteristic of such debates generally point to the future rather than the present, which could also be observed in Sarrazin’s rhetoric. It is less the present conditions of society but rather future scenarios of catastrophic collapse that are predicted.

Schiffauer distinguishes between anxieties, fears and concerns regarding the ‘significant other’. Different from concerns and fears, in his view anxieties are *“emotions, which are little grounded in empirical evidence but are strongly imaginative. They often result in moral panic and are hardly open to argument.”* (Schiffauer forthcoming 2013). The dynamics of boundary definition in the case that we have studied here strongly draw on emotions rather than the rational evaluation of facts. For this

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<sup>80</sup> Quoted from N24.de, translated by the author.

<sup>81</sup> Quoted from Spiegel, translated by the author.

<sup>82</sup> Quoted from Spiegel-online, translated by the author.

reason it seems that a rational or scientific refutation of Sarrazin's ideas, statements and figures might not have the desired effect since their appeal is not primarily based on rational fact.<sup>83</sup>

Processes of boundary drawing are strongly determined by the different types and strengths of those anxieties, fears and/or concerns. The less those discourses are open to rational argumentation and the more anxiety they produce, the more likely they are to produce strong and impenetrable boundaries. The result of such boundaries, which draw on anxieties about Muslims as biologically inferior and demographically dangerous 'underachievers', is a tendency to intolerant attitudes towards the group in question.

Many of the character traits and vices attributed to this group represented the exact opposite of the ideal German citizen. This included portrayals of Muslims as essentially homophobic, anti-Semitic, misogynist, anti-democratic, backward, anti-modernist and drawn to violence and criminality. Such processes of demarcation could not be successfully challenged by a counter-discourse that would alert to the rising intolerance in German society. Rather the double negation process that Schiffauer describes was discernible in this case: Muslims were successfully constructed as the significant other to German society and, then, all the attributes that this society holds negative were projected onto them. At the same time, those that subscribe to this construction could also perceive themselves as being the opposite of what they attribute to the significant other: democratic, modern, peaceful and tolerant, rather than homophobic, anti-Semitic and misogynist.

These ideas and debates are not specific to the German context but have been similarly developing in other European countries, which points to the same process of the construction of a European identity by the help of constructing a significant other. Especially at the peak time of European enlargement from the year 2000 onwards the question of the common identity of all the old and new European states arose strongly. Like on the national level also on the European level, the construction of Islam and Muslims as the significant other helped to construct a common European identity by defining its absolute other while at the same time playing on fear about this other 'taking over' by imposing itself on the majority societies. This feared development was widely referred to as *Islamisation*, a term rarely defined but prone to capture all kinds of collective fears. Thilo Sarrazin is only continuing on this line of thought, but he went further than demanding a 'leading culture', which had been called for earlier by different public officials. Sarrazin instead explained that Muslim immigrants were per se less intelligent and less productive than other social groups and even other immigrants. Thus, rather than demanding their integration, he denied not only their willingness but mainly their ability to integrate. He then touched upon the fear of a changing composition of the social body in general and Islamisation in particular by explaining, that (less intelligent) Muslims were very procreative while (more intelligent) educated ethnic Germans were not procreative enough in order to prevent the Muslims from future domination. Thus an anxiety is mobilized in which the other is seen as unchangeably and dangerously different. The question that arises and is explored in this chapter is whether and how this new anxiety is accompanied by a new quality of intolerance in practice.

The case of Sarrazin's book, together with parts of the following discourse, is one of heightened and wide-spread intolerance and even one that uses the concept of tolerance in an excluding manner by cautioning against a 'wrong kind of tolerance'. Even the Federal Chancellor, Angela Merkel, who had criticized Sarrazin's statements directly after the book was published, declared in October 2010 that '*Multukulti*' had failed (Spiegel.de 16.10.2010). She explained her view saying, that integration could be enabled through supporting and demanding (*fördern und fordern*), but the demanding had been too weak in the past. Some months later in February 2011 the British Premier David Cameron explicitly supported Merkel's analysis of multiculturalism as having failed and explicitly named a wrong kind of

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<sup>83</sup> The political scientist Dr. Naika Foroutan and members of her research project Heymat (Hybride europäisch-muslimische Identitätsmodelle) at the Humboldt-Universität Berlin has collected a lot of scientific evidence from different surveys in order to prove Sarrazin's theses about Muslims in Germany wrong. This countering of his ideas on a scientific level has however not shown great response within the public debate. (Foroutan 2010)

tolerance to be one of the main reasons for it. Tolerance in these debates is thus framed as the problem rather than the solution for increasing social diversity.

As described above the notion of ‘no tolerance for intolerance’ emerged in Germany mainly after World War II and the Nazi era, where the tolerant weakness of the Weimar Republic towards its enemies was seen to have led to the worst case of intolerance ever imagined. Regarding the ability of a society to defend itself against the enemies of tolerance, the refusal to ‘tolerate intolerance’ is thus perceived as a logical and healthy attitude. However, as Schiffauer points out, a problem arises when the discourse changes from not accepting *intolerance* to not accepting the *intolerant*. This is when particular social groups or individuals are suspected of being essentially intolerant. Even if the group in question does not hold the intolerant view in reality or at the current moment it can still be suspected of potentially adopting in the future or of concealing its intolerance. The effect of such constructions is the growing tendency to draw the boundary between “us” and “them along lines of “tolerance” and “intolerance”. It is important to highlight how difficult it is to resist this stigma of intolerance; suspicions persist and can never be fully defeated, as even the public demonstration of tolerance cannot dispel anxieties about alleged views that are held privately or in secret.

The Sarrazin debate thus seems to provide good examples for examining these processes of boundary drawing that are supported by, and strongly intertwined with, the discourse and practice of (in-) tolerance. Tolerance according to this logic is seen to constitute a danger to social peace and becomes necessary to safeguard peace, with the effect, that social and political practice tend toward stronger intolerance rather than tolerance towards specific groups in society.

The main interests of the following analysis lie in the questions whether the Sarrazin debate and related debates have shifted German public discourse towards more or less tolerance of diversity, especially towards Muslims and how this affected members of the targeted minority. Has the overall effect of the debate been to make intolerance towards a specific minority more socially acceptable? And how does this changed acceptability of intolerance or intolerant speech affect the people involved?

### **Methodology**

This study examines the development of the Sarrazin debate as well as the way in which members of the targeted minority have perceived it. Its analytical frame is the aforementioned interest in discursive mechanisms of boundary drawing and the construction of a significant other. The study seeks to collect insight into these mechanisms as well as their effects on changing (in-) tolerance towards Muslims in Germany and Europe.

The analysis is split into two parts: Part 1 consists of a short discourse analysis of two major national newspapers that reflect two rather opposite sides within mainstream discourse: *Die Süddeutsche Zeitung* (SZ) is a daily newspaper, which is published in the south of Germany, but is one of the biggest national newspapers for its popularity and range of readers. The SZ is perceived as rather left liberal in its opinions, while *Die Welt*, a national daily belonging to the Axel Springer AG, is regarded as reflecting the conservative spectrum. The media analysis itself is again divided into the time after the publication of the interview with Sarrazin in the magazine *Lettre Internationale*, that had already caused a debate about him and his views in 2009 and the time after the publication of his book “*Deutschland schafft sich ab*”, when a wide-ranging debate about integration, migration, Muslims and other topics started. The analysis encompasses 54 articles, published between the 30<sup>th</sup> of September and the 20<sup>th</sup> of November 2009 and 74 articles, published between 23<sup>rd</sup> of August and the 9<sup>th</sup> of November 2009 and some later articles that were of relevance for the analysis.

Part two of the analysis deals with the perception of an dealing with the aforementioned debate by members of the targeted minority groups and consists of 6 expert interviews and one group discussion with 6 further participants. The chosen experts were people who were active either in party politics or

in civil society organisations. In order to gather knowledge about the possible effects of the debate, we chose interview partners, that had significant contact with the Muslim community, such as Lydia Nofal, the project leader of a network against the discrimination of Muslims; or respondents that were active within local politics and/or dealt with the issues on an academic level, such as Yasemin Shooman, who works on anti-Muslim racism at the Centre for the research on anti-Semitism (*Zentrum für Antisemitismus-forschung ZfA*). Apart from one interviewee all were part of the Muslim community themselves. Some of them are mentioned by name and organisations; others wanted to stay anonymous and are thus mentioned with their major field of activity.

The group discussion was held with a group of young Muslims, who had invited Thilo Sarrazin in order to meet the person behind the arguments and personally discuss his views. They were participants of a dialogue project at their school that was initiated by the Federal Agency for Political Education and the Bosch Foundation and aimed at raising political awareness, political participation and counter extremism with young Muslims. Within this course, with the support of two group leaders, the young people decided to invite the author after his first interview in the magazine *Lettre International*. The latter accepted the invitation and met the young Muslims at the peak time of the debate about his book. The group discussion was held with 5 young Muslims and one of the group leaders, while the other group leader was one of the individually interviewed experts.

While the media analysis focuses on the public discourse around the publication of Sarrazin's theses, the interviews were rather centred on how his positions were experienced, debated and perceived within the targeted community. While the former is analysed using the method of Critical Discourse Analysis (e.g. Ruth Wodak 2007), the latter were carried out as problem-centered interviews, a method of qualitative social science for gathering and analysing data of interviewees (e.g. Witzel 1982). This method mainly focuses on the interviewees' common perceptions of a stated problem as well as on their different reactions to this problem. The interviews were conducted on the basis of a semi-structured interview guideline, which helped to both focus on the specific topic/problem in question while leaving the process of the interview open for individual issues and thoughts of the different interviewees.

### ***Media-analysis of the Sarrazin debate and its role in the construction of the significant other***

The first phase of the debate after the interview in *Lettre International* in 2009

Throughout his career the former Berlin Senator for Finances, Thilo Sarrazin, had often attracted attention with provocative statements towards vulnerable groups in society, among them mainly people depending on welfare and immigrants. In September 2009 he gave an interview to the magazine "Lettre International" titled "*Klasse statt Masse. Von der Hauptstadt der Transferleistungen zur Metropole der Eliten.*" (Not mass but class. From the capital of aid money to the metropolis of elites.) As the title suggests, this interview mainly turned around questions of economic capacity of citizens, among them also immigrants. One of the major quotes from the interview that was repeated in almost all newspapers was the following:

*"I don't have to accept anybody, who lives on state support, rejects this state, does not care for the education of his children adequately and continuously produces new little headscarf girls."*

Less noted in the following media articles was the following sentence targeting poor Germans:

*"The same holds true for a part of the German underclass (...)"*

or the one, already pointing at his later ideas of reproduction and intelligence:

*"There is also the problem, that forty percent of all births are happening in the underclass."*

Sarrazin presents two major groups in society as possible others from the viewpoint of the white, prosperous middle and upper classes: People who are less economically productive, on the one hand, and immigrants/Muslims, on the other. The reason why the following discussion focuses on the latter, while the former is largely ignored, is the fact that the ideas about Muslims were built on already existing tropes and stereotypes regarding their position as the significant other in society. The same is not true for the statements about poor people, mainly because they generally belong to the “In-Group”. This is the case at least as long as they do not belong to a post-immigration group as well, which would then make them part of the “Out-Group” that is mainly defined by its (alleged) ethno-religious background.

Schiffauer (2013 forthcoming) defines four major tropes within public discourses that belong to different political spheres, but all contribute to the construction of Muslims as the significant other in society, mainly through the anxieties that they help to raise. Since all of them could be found already within the first quoted statement of Sarrazin, they shall be shortly explained:

The “master-in-your-own-house”-trope refers to the fear of demographic change that goes hand in hand with religious domination or “Islamisation”. Anxieties about higher birth rates of immigrants/Muslims and their religious practices, such as the visibility of mosques, contribute to this trope.

The “social cohesion”-trope is concerned with the presence of “too much” difference, which is seen to eventually lead to social conflict. An important concept in German discourse is the idea of “parallel societies” (*Parallelgesellschaften*), which are seen to undermine common values and the cohesion of society.

The “regression”-trope refers to the danger of seemingly backward beliefs and practices that are associated with Islam and which are seen to endanger progress that has been achieved but is now turned back. One major field of this trope is the emancipation of women but also the very presence of deep religiosity in allegedly secular contexts.

The “social responsibility”-trope deals with the idea that multiculturalism has been too blind towards problems with certain social groups, mainly the Muslim community, which leads to abuses of the rights of women or children within this group. To not tolerate certain practices is perceived as a social responsibility that is owed individuals within such groups.

While the first two tropes are rather associated with the right-wing political discourse, the third and fourth trope are mainly used by leftwing groups in politics and civil society. The political demands derived from them are however often very similar.

With the beginning of the sentence quoted above: “*I don’t have to accept anybody, who...*” Sarrazin frames the debate with a claim about the conditions of acceptance in German society. The “I” can be seen to refer to his own person but equally appears to represent the position of the majority in German society, mainly the white middle and upper classes, that are in the power to accept or not accept and which he harshly differentiates from two other groups in society – poor people and immigrants/Muslims – that don’t have the power to accept or reject and are in the inferior power position compared to the speaker.

The conditions leading to non-acceptance are then listed in the quote (“*...who lives on state support, rejects this state, does not care for the education of his children adequately and continuously produces new little headscarf girls*”). They include living on welfare money, intolerant/undemocratic attitudes, lack of interest in and success within education, having too many children and being backward and/or visibly religious especially Muslims. With intolerant/undemocratic attitudes and the production of “headscarf girls” two different areas of “backwardness” regarding Muslims are pointed out. By stating that they reject the state, the logical conclusion of non-acceptance is already implied, following the idea of “no tolerance towards intolerance”. It draws on anxiety about a weak and overly tolerant

society that cannot defend itself and its values. It also raises the idea of backwardness, of undemocratic ideas, that bear the danger of destabilising German democracy and thus should not be tolerated. The “headscarf girls”, especially for how they are “continuously produced”, dehumanises Muslim women and invokes their alleged lack of emancipation in relation to oppressive male counterparts. This draws on stereotypes that are frequently reiterated in the so-called ‘headscarf debates’ in which “educated, liberal, non-religious” modernists (even with Muslim background) are separated from “backward, un-educated, religious” traditionalists. Without even mentioning these debates, the reference is made through allusions, a widely used strategy to achieve agreement on an emotional level without referring to rational deliberations. This image however also refers to the “social responsibility”-trope and to the “liberation” of these girls and women from their oppressive cultural, religious and familiar surrounding, which has been a strong argument within the debate on Islam in Germany over the last several years.

This single sentence thus illustrates the efficacy of tropes that are well known and have a considerable social resonance. Different people might associate different aspects with such speech acts and as such they not only avoid long and difficult rational arguments but also raise emotional reactions and allow for agreements on the basis of shared anxieties to be more easily achieved.

First reactions to the publication of the interview were critical and many politicians rejected Sarrazin’s positions. Axel Weber, the president of the Federal Bank, where Sarrazin had a position on the executive board, distanced himself from “*content and form of the discriminating statements*” (Schulz 2009). The trade union ver.di demanded his dismissal from the Federal Bank, the local SPD association of the Berlin district Pankow initiated internal proceedings against him, the Berlin state attorney examined the interview with a view to a charge of incitement and the chairman of the Central Council of Jews accused Sarrazin of demagoguery and closeness to the National Socialism of Hitler (Sueddeutsche.de 09.10.2009). Sarrazin reacted to this criticism by stating that “*not all the expressions in the interview had been well chosen.*” His intention had been to describe problems of Berlin but not to discriminate against ethnic groups (welt-online, 01.10.2009).

The Federal Bank finally decided to keep Sarrazin on the board but to take away some of his responsibilities. Following this decision first voices could be heard claiming that Sarrazin’s freedom of opinion had been infringed if he would need to fear for his position in the bank. Also both newspapers analysed in this study in the following days and weeks featured more and more voices of public figures who rejected the tone of Sarrazin’s statements but supported him in the content. “Die Welt” titled on 5<sup>th</sup> October:

*“His choice of words (“Headscarf-Girls”; “Turkish warm rooms”<sup>84</sup>) felt offensive not only for foreigners. Regarding the content hardly anybody contradicts him – And how could one?”* (Clauß 05.10.2009). Support of Sarrazin’s ideas is now more often linked to the criticism of ‘political correctness’ or ‘Gutmenschentum’ and expression for starry-eyed idealists not dealing with reality in the necessary way. In articles of SZ among others the author Ralph Giordano is quoted: “*Sarrazin describes (...) reality how it is and not how it has been presented by political correctness for many years*”. The minister for integration of North-Rhine Westphalia Armin Laschet also criticised Sarrazin’s choice of words but supported him in the content of the interview and took this debate as an opportunity to demand the establishment of a Federal Ministry for Integration, because it seemed obvious that many people were interested in the topic. (Sueddeutsche.de 14.10.2009)

This frequent movement between half-supporting and half-rejecting Sarrazin’s ideas is a good example for how the debate was generally instrumentalized in order to acquire support for political demands or political power. It could be well observed throughout the Sarrazin debate.

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<sup>84</sup> “Wärmestube” is an expression for warm rooms for homeless people, which Sarrazin used regarding Turkish elder men meeting in specific cafés.

On the other hand many articles provided counterexamples of Sarrazin's characterisation of Muslims, Turks and their allegedly inferior educational and professional performance. Many voices could be heard from German-Turkish people, trying to show a 'different picture' by explaining that not all Turks were as Sarrazin described them: many were well integrated and well performing in society. This presentation of Turks and/or Muslims by both Turkish and German journalists however does not address the construction of Muslims as the significant other to German society. It remains within the same logic of boundary drawing and only tries to draw them somewhat differently, as the characteristics ascribed to the Muslim other are not questioned or even deconstructed. They are left untouched in principle and, in fact, another boundary is drawn between significant others and those Muslims that qualify as part of the in-group since their characteristics are sufficiently similar to those that the German majority ascribes to itself. It is essentially a differentiation between the "good" and the "bad" Muslim, which leaves the strong boundary towards the "bad ones" untouched. And even the status of the "good" others is fragile, as they remain others, not part of the dominant group, and are thus continue to face the risk of having tolerance withdrawn at a later point.

The whole debate in the end has turned from a discussion about Sarrazin and if and how he should be dealt with ('tolerated') by the Federal Bank, the SPD and also by the state attorney, into one about integration and the perceived lack of willingness to integrate perceived with Muslim immigrants. In the following the possible political instruments against this lack of integration are discussed such as the creation of a Ministry for Integration, shortening of social money or further restriction of immigration.

Already in the interview Sarrazin had stated, that *"Integration is an achievement of the one who integrates"* and clearly rejected the suggestion of the interviewer that politics should be held accountable for integration too. On the other hand he stated that certain groups, namely Turks and Arabs, were to a large extent not only not willing, but not able to integrate. This understanding of integration was in the following discussion more and more the basis for the discussion: rather as a duty of the immigrants themselves than as a duty of the state institutions to provide equal chances and counter discrimination. Although Sarrazin was blamed for discrimination and racism by several public figures and institutions, such as the German Institute for Human Rights or the trade union ver.di, in the following weeks the debate did not focus on these issues any more.

This development of the debate is probably a result of how the aforementioned tropes further reinforced Muslims as the other. Sarrazin had touched upon these motifs and significant parts of the German population could connect with them at the time of the interview. The question of racism within German society – following a representative EMNID survey about 51% of the population supported Sarrazin – is not yet widely debated.

The second phase of the debate after the publication of the book *"Deutschland schafft sich ab"* in 2010

Some months later, in late August 2010, Sarrazin published a whole book about the statements of his interview, entitled *"Germany does away with itself."* With the help of a broad range of statistics and quotes of different researchers he took his former ideas even further and developed a future scenario of a German population not only being taken over by more reproductive immigrants but also becoming mentally poorer through this development, as the respective Muslim groups were hereditarily less intelligent.

Both the weekly *"Der Spiegel"* and the tabloid *"BILD"* had published long passages of the book shortly before its actual publishing date without any accompanying comments.

Similarly to the first part of the debate the main reaction in the first days was strong opposition to Sarrazin's ideas and even disgust. The Federal Chancellor Angela Merkel was quoted with a criticism that was perceived as a strong official intervention stating that the book contained wording *"that can only be offensive for many people in this country, that are defaming (...) and that are not at all helpful"*

*with the big national task in this country to progress with integration.*” (Kamann 26.08.2010). The chairman of the SPD, Sigmar Gabriel, suggested that Sarrazin should leave the party because his ideas were not in line with it any more, and announced a detailed analysis of the book, especially of whether Sarrazin assigned character traits to specific ethnic groups and thus could be accused of racism. Leading figures of the NPD, the rightwing extremist party of Germany, praised the book and signalled the wish to discuss possible cooperation with Sarrazin in the future.

The Federal Bank this time decided to dismiss Sarrazin from the executive board, alleging that he had damaged the reputation of the institution. Similarly as in the previous year, right after the decision of the Federal Bank a wave of outrage was followed by a debate about freedom of expression and voices arose that portrayed the author more and more as a courageous breaker of taboos and a victim of the political correctness of the political elite. Interestingly his own strong elitism did not prevent him from becoming an idol for a broad range of German citizens feeling oppressed by a perceived elitist discourse of political correctness. The image of Sarrazin as the one who speaks for the people has been expressed by the media scientist Norbert Bolz in a TV talk show on the 5<sup>th</sup> of September 2010:

*“The crucial point is that the people are no longer willing to be forbidden from speaking by the political class and especially by arrogant new Jacobins, also in the feuillets.”* (quoted after Friedrich 2010: 13)<sup>85</sup>

The fact that Sarrazin became the voice of the masses although he clearly favoured an elitist social model and the social exclusion of economically less productive people is a clear sign that the author and the debate fulfil a function that works quite independently from the actual content of the book. As pointed out above, the discourse of othering through the invocation of anxieties is highly irrational and hardly reached by rational deliberation. The function of this othering of Muslims for strengthening national German identity and defining its boundaries becomes clearer when we follow the development of the debate further. Many surveys have been conducted, that found a high support of Sarrazin’s ideas within the German population.<sup>86</sup> Especially the question, who was accountable for the alleged failure of integration, was answered by a significant majority in the same way as by Sarrazin: migrants are responsible for their own integration (N24.de 01.09.2010)<sup>87</sup>. This attitude of the German majority was one of the major factors turning the debate and causing many politicians to show stronger understanding for the ideas of Sarrazin and especially for “the fears of the population”, a widely suggested reason for the strong support of Sarrazin in society.

Also within ‘out-groups’ certain fears were raised by the Sarrazin-debate, namely the fears of increasing discrimination, racism and social exclusion. As these fears are not perceived as dangerous for the “we-group” they are hardly given voice in media and politics. This caused a group of Muslim intellectuals to write an open letter to the Federal President Christian Wulff on the 13<sup>th</sup> of September 2010 in which they described the fears of many Muslims and other people with immigration background. The letter included an account of everyday situation of discrimination, of having to deal with offensive attitudes and stereotypes about themselves such as in education and work, and the growing hostility of their co-citizens. They thus asked Wulff to “*advocate and publicly promote the principles of an open democratic culture that is characterised by mutual respect.*” (taz.de 13.09.2010)

This letter might have been one of the reasons why the Federal President decided to deal with the issues of integration and social diversity in his speech on 3<sup>rd</sup> October 2010, the day of German unity. He asked the population to reject offenses against people of foreign origin and, after focussing on

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<sup>85</sup> Translation by the author.

<sup>86</sup> An EMNID survey from the 1<sup>st</sup> and 2<sup>nd</sup> of September 2010 found, that 62% of the interviewees affirmed the question: “Does Thilo Sarrazin in your opinion give qualified food for thought with his utterances about migrants?”. 31% affirmed the question: “Do you share the view, that Germany will become more stupid by an uncontrolled immigration?”;

<sup>87</sup> An EMNID-survey of the 30<sup>th</sup> of August 2010 found, that 56% of 1000 interviewees held migrants responsible for their own integration, while only 11 % thought, that mainly Germans were responsible for the difficulties in integration.



Judeo-Christian history of the country, he added: “*but Islam by now also belongs to Germany.*” In the same speech Wulff also mentioned that belonging to Germany had to be conditional upon acceptance of the constitution and common rules. “*Who does not do that, who despises our country and its values, has to count on a determined defence of everybody in our country.*” (Focus-online 03.10.2010)

Wulff’s quite unspectacular statement caused a huge wave of political objection. One of the strongest was the 7-point plan on integration issued by the CSU chairman and Minister-President of Bavaria Horst Seehofer, who directly connected his position to Sarrazin’s statements, demanding for example to add the criteria of “*willingness and ability to integrate*” as another prerequisite for immigration besides qualification and demanded strict sanctions for those who refuse integration. He stressed that Germany was “no immigration country”, although this political line of denial had finally and officially been abandoned about ten years earlier. He also demanded to stop immigration from “foreign cultural spheres” (welt-online 16.10.2010). The general secretary of the Central Council of Jews in Germany heavily criticised Seehofer and remarked that mainstream politicians clearly felt less and less inhibition to catch votes with Xenophobic statements. He argued that they were thereby endangering social peace.

Angela Merkel (CDU) directly backed Seehofer when she publicly remarked that the efforts to construct a multicultural society had failed in Germany: “*This approach has failed, absolutely failed.*” She added that in the past society had demanded not enough from immigrants and further spoke about their lack of command of the German language, about forced marriages, the necessity for immigrant girls to participate in school trips and the necessity to quickly convict criminals. She however also supported the Federal President, in saying, “*Islam is a part of Germany – This is not only to be observed in the footballer Özil*” (Sueddeutsche.de 16.10.2010)

It can be observed that after several weeks the debate about integration was now solidly connected to issues to do with Islam and Muslims and to the question of German “*Leitkultur*” (leading culture). This term was now increasingly also used by leftist politicians even though it had traditionally been a concept of conservative parties like the CDU. The Social Democrat chairman, Sigmar Gabriel, and others defined *Leitkultur* as the common values of the constitution, the rule of law and the inviolable dignity of human beings. Still the question remains why the chairman of the SPD, a party that had always rejected the concept of *Leitkultur*, now used a term that evokes a hierarchy of cultures in society. The answer might be found in the efficacy of discourses that constructed Muslims as the significant other and which generally drew the boundaries of toleration, the borders of in- and out-groups, narrower. This would also be supported by the turn of Merkel who had shown utter disgust towards the statements of Sarrazin, but shortly afterwards declared multiculturalism to have failed. Also Sigmar Gabriel, SPD party leader, who had initially urged Sarrazin to quit the SPD because of his racist ideas, some weeks later in a long article in the German weekly “*Die Zeit*”, supported a number of major points that Sarrazin had made about integration before criticising “*Sarrazin’s hopeless idea of man*”:

*“There are parallel societies where Sharia is more important than the constitution. There are hate preachers and a significantly higher criminality. And there is also lack of education and refusal of education. (...) the highly visible problems don’t only originate from the failure of the German society and its politics to integrate, but also from considerable refusal by many migrants to integrate. Therefore there is no reason to criticise Thilo Sarrazin and others, when they denounce a lack of willingness to integrate.”* (Gabriel 15.09.2010)<sup>88</sup>

The statements about the so-called parallel societies did not need to be proven by evidence, since they touched upon deep-seated ideas about Muslims as the other in society and were thus not likely to be

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<sup>88</sup> The original title of Sigmar Gabriel’s article “*Welch hoffnungsloses Menschenbild*” (What hopeless idea of man), had been “*Anleitung zur Menschenzucht*” (Guide for breeding of human beings), but was changed by the weekly “*Die Zeit*”, translation by author.

heavily criticised by Gabriel's audience. His comments however both seemed to criticise the extreme ideas of Sarrazin and at the same time still helped to draw the boundaries towards the other and thus identify the "in-group" as reasonable, well educated and distant to criminality and violence.

Like Gabriel, even those opposing Sarrazin often used their criticism to propose their own stereotypes about Muslims and immigrants. A frequent demand for more integration was made, postulating the lack of integration as the major cause of socio-political problems, an assessment that had caused Sarrazin to write his book. The major reasons for Sarrazin's ideas were thus not seen in his social Darwinist mindset or racist attitudes, which he had proposed one year earlier in the widely debated interview in "*Lettre Internationale*", but in the lacking willingness of immigrants/Muslims to integrate into German society and the failure of national politics to not strictly demand integration and adaptation in the past.

Another function of a clearly defined other in society and the negative stereotyping of this group can be observed here: Instead of questioning official political decisions and practices regarding the integration and inclusion of immigrants, the blaming of the other distracts from this political responsibility. One leading article in the *Welt*, after providing an exhaustive list of all the problems that Muslims caused, asked: "*Is this not a good reason for displaying more than just disinterested tolerance towards immigrants?*" (Held 09.09.2010)

The author here uses a widely available trope of "too much tolerance" that was seen to have been practiced towards immigrants. Significant social problems are seen to result from the fact that immigrants had not been forced strongly enough to integrate and adapt to the values of their host country. The addition of "disinterested" tolerance addresses the alleged need for strict demands towards the 'other' that requires interested concern.

What this alternative relationship with Muslims/immigrants (different from "disinterested tolerance") could look like, is illustrated by Chancellor Merkel, as quoted in the *Welt* article "*Kanzlerin fordert mehr Anstrengung bei der Integration*" (Chancellor demands more effort with integration). Although Merkel refers to statements by Sarrazin as "*nonsense*" that she cannot "*accept*" because "*whole groups in our society feel hurt by it*", she criticised that "*in many Muslim families, women and girls still have to submit*" and demanded from immigrants to "*learn German and stick to the German laws*" (welt-online 04.09.2010). Using the (rather left-wing) trope of social responsibility towards members of the immigrant community, the Chancellor in this quote clearly draws the boundaries of toleration in relation to language learning and female emancipation.

Although Merkel seems to protect immigrants from Sarrazin's attacks, at the same time she reinforces widely held stereotypes about Muslim women, which she can even support by distinguishing them from Sarrazin's more extreme views, making them seem less severe. By asking a whole group to comply with the law, she postulates a general criminal tendency among immigrants and supports an overall suspicion and higher caution towards this specific social group. While criticising Sarrazin's generalisation and degradation of this social group, she does the same with different words. Within this quote the trope of backwardness of Muslims – especially in the submission of Muslim women – comes together with the "social-responsibility"-trope that aims at helping those oppressed ones. Both coincide with more restrictive boundaries that are drawn towards Muslim others and are reflected in political demands, such as the demand to integrate.

The dichotomy between insiders and outsiders was hardly ever challenged in the whole debate. Indeed, it was reinforced by a growing conviction that immigrants were mainly culpable for various shortcomings and social problems. The concept of 'integration' was hardly ever challenged at all and mainly interpreted as 'assimilation': the idea that a minority, that is distinct from the majority, would need to adapt itself. This understanding corresponds to the process of 'other'-construction and boundary drawing that we have identified above. If a group is understood as essentially different from the majority with regard to its norms and practices, it consequently has to be strongly differentiated

from the majority and its adaptation to the dominant values has to be closely monitored and enforced, if necessary, by applying political and social pressure.

### ***Analysis of the effects of the Sarrazin debate***

#### Extending the limits of (in-) tolerance

After analysing the construction of Muslims as significant others within the Sarrazin debate, the question remains how pressures, that emerged as a result of more narrowly drawn boundaries towards a specific social group, were perceived by its members and how they dealt with this experience. Although we consider one particular debate, we can make some more general observations regarding the effects of the construction of significant others in society.

For doing so we interviewed different experts, most of which had some type of Muslim background, and a political group of young Muslims who had invited Thilo Sarrazin in order to personally discuss his views about them. In order to gather knowledge about the possible effects of the debate on members of the targeted community, we chose experts as interview partners who had significant levels of contact with the Muslim community, such as the project leader of a network against Islamophobia, or actors that were active within party politics and/or dealt with the issues on an academic level.

One of the major outcomes of the analysis of the media discourse above has been that even most of Sarrazin's critics supported many of his statements but mainly criticised the way he presented them. As the discourse had largely been presented as one of integration, rather than one of discrimination and racism, most public officials who countered his statements, also had to make sure that they were not seen as "starry-eyed" idealists and ignorant towards the problems of integration and migration. It seems that some actors sought to pre-empt this characterisation and thus often added some type of criticism towards immigrants and/or Muslims to their criticism of Sarrazin's book.

Accordingly, many of the interviewed experts and participants in the Muslim political youth group remarked that limits of what could legitimately be said about Muslims in public discourse had been shifted. Some explained, for example, that the tone of everyday encounters on the street had changed and that more and more people felt entitled to openly articulate their discontent with immigrants and/or Muslims or to comment upon visible aspects of their 'otherness'. Lydia Nofal, leader of a network against Islamophobia in Berlin, spoke about the daily experiences of one of her colleagues with an Arabic background who had raised her children bilingually and sometimes talked to them in Arabic:

*"She tells me that now she is permanently addressed in the bus by elderly women who say 'we were in Germany here' and that she would have to talk German. Everybody feels entitled and even obliged to address her in the name of integration and to remind her that she would kindly have to talk German with her children.(...) This woman is surely much more educated than those who address her like that."*<sup>89</sup>

One major effect of the construction of Muslims as the significant others in Germany can be observed within this quote. By speaking Arabic with her child, the woman – although well educated – is perceived as belonging to a 'problematic' population, which is largely defined for their lack of 'integration'. The image of this group of others has become so strong in society that nobody, elderly ladies or otherwise, doubts its truth and acts upon this belief, such as by reprimanding those that are visibly 'outsiders'. Besides this defining power of the othering discourse we can also observe how it devalues those it targets: although meeting her for the first time and on a public bus, the elderly ladies

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<sup>89</sup> Expert interview with Lydia Nofal

perceive themselves as part of the “in-group” and thus as naturally entitled to tell others, defined as part of the “out-group” by her language, what to do.

Yasemin Shooman, another interviewed expert and PHD candidate at the Centre for Research on anti-Semitism, who observes anti-Muslim internet blogs, states that Sarrazin was perceived as a folk hero (*Volksheld*) within rightwing populist and anti-Muslim webpages that strongly refer to his ideas and statements. The newly founded political party “*Die Freiheit*” (Freedom) mobilized with reference to Sarrazin during their election campaign in Berlin: campaign adverts were titled “*Wählen gehen für Thilos Thesen*” (Go and vote for Thilo’s statements) and displayed underneath the image of a crossed-out mosque. Yet not only populist movements but even neo-fascist groups like the rightwing extremist party NPD celebrated the author. It was stated that Sarrazin’s ideas about immigration were in line with NPD tenets and that he also had contributed towards making their ideas more popular and less assailable since he belonged to an established social democratic party.<sup>90</sup>

While one of the experts thought that Sarrazin only shed light on resentments that existed in the population anyway, and thus enabled an honest examination of them, others suggested that Sarrazin’s positions voided taboos that had previously been upheld in public debate. One of the major topoi in the debate was the one of the courageous ‘breaking’ of taboos and that Sarrazin had dared to confront a ‘politically correct’ establishment. A comment in *Die Welt* criticised the taboos allegedly imposed by so-called “do-gooders” (*Gutmenschen*), which hampered a serious analysis of social problems. Sarrazin however was portrayed as “*honest and courageous*” and as a person that “*described the facts and problems [...] without regard to any taboos*”.<sup>91</sup>

Shooman however explains, that taboos can indeed be useful within public discourse. Not only can they protect vulnerable minorities from humiliation and harm, but she suggests that resentments against a minority tend to be reinforced by a perceived agreement that is assumed to be held by the majority in society. Accordingly, anti-Semitism in Germany had been pushed aside and into what she called “*Kommunikationslatenz*”, a state of communicative latency that made it more difficult to express as social taboos became stronger in the course of German post-war history. Anti-Semitic ideas still existed in German society but anti-Semites could not count on broad acceptance of their ideas and would thus refrain from expressing them.

What Shooman describes as the establishment of taboos is to a certain extent the opposite discursive movement to what is described here as the construction of the significant other. It sheds some light on the connection between this construction and racism, too. While the latter is still present in the form of racist and/or anti-Semitic ideas and attitudes, the development of a taboo that prevents a group from being actively constructed as the significant other makes these attitudes less acceptable and thus less likely to be expressed publically. In the case of the significant others, however, expressions of racism seem less severe – not even racist at all – and many more people feel legitimate and entitled to articulate them and thereby further push the discourse in the direction of intolerance.

There is thus a striking difference between how anti-Semitic and the anti-Muslim discourses are considered in society. Shooman pointed to the example of the CDU-politician Martin Hohmann, who had been excluded from his party in 2003 because of anti-Semitic statements, and contrasted this example with the aborted procedure of excluding Sarrazin for his racist and anti-Muslim statements from the SPD. Another expert, a politically active woman, who had left the SPD because of the party’s handling of Sarrazin, expressed a similar perception of different standards:

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<sup>90</sup> Voigt, the head of the NPD uttered: “*Additionally it would become more and more difficult to sue NPD officials because of “incitement of the people”, if established politicians also “dare to express this”*”, in: (Menkens 31.08.2010), translation by the author.

<sup>91</sup> Letter to the editor: “Sarrazin is right”, 6<sup>th</sup> of October, 2009, in welt-online: <http://www.welt.de/die-welt/debatte/article4747408/Leserbriefe.html?print=true#reqdrucken>

*“Three (...) delegates of the SPD have been excluded from the party because they have been critical towards Israel and not anti-Semitic (...). They have been excluded immediately. And then there comes some random stupid idiot and expresses his inhuman ideas. I don’t care if it is about Muslims, or about Jews, if it is about Turks, about Arabs or Greeks. It is just inhumane, what he says. (...) And then they want to exclude him and suddenly all petitions that existed in order to exclude him are withdrawn.”<sup>92</sup>*

Considering the observations of the different interviewees, it could be stated that the Sarrazin debate reinforced and extended intolerance towards Muslims as the significant other and as a group that is conceived in opposition to the imagined ‘in-group’. While other groups, like Jews or different immigrant groups, might not be perceived as part of the dominant “we”, they are not labelled by this specific discourse as being in opposition to society and as dangerous strangers that can be justifiably excluded. They are however still constructed as groups that are different, and changes in the discourse can quickly turn a group that is perceived to be integrated and acceptable into one that cannot be accepted and towards which intolerance can or even should be practiced.

#### Reactions to the social division and exclusion as significant others

Regarding the response of the Muslim community to the Sarrazin debate, the interviewed experts point in particular to withdrawal from political and social activity on the one hand and an attitude of ‘Now more than ever’ on the other. This could be observed in the context of political and social participation but also in how a sense of belonging was expressed more generally.

One very active local SPD politician with Muslim affiliation explained that she had left the party after 10 years of active work and good opportunities for a political career because Sarrazin had not been excluded and she felt like doing politics on the back of those Muslims who were, unlike her, mainly targeted by Sarrazin as poor or doing pity jobs:

*“I cannot look in the mirror, if I support this kind of hypocrisy. (...) On the one hand I am really supported [within the party] and could have made a career (...) I have withdrawn from everything, I cannot do that on someone else’s back. (...) Only because I’m not a greengrocer<sup>93</sup>? Or because I don’t sell döner? No, that is not possible.”*

She explained, that about 10 colleagues of her immediate circle had left the party for the same reason. On the other hand, she recognised about the same amount of people who had the same opinion about Sarrazin and the SPD, but who remained inside the party explicitly in order to be able to counteract the tendencies that Sarrazin represented and to reform the party from within.

Another Muslim expert, a woman who is strongly involved in party politics, explained that she had experienced a lot of frustration within the Muslim communities, which made it more difficult to motivate Muslims for activities in social projects and/or political participation after the Sarrazin debate:

*“Many Muslims think: ‘no matter, what we do, in the end we are not welcome in this country’, and have become more sceptical about the possible effects of projects. ‘Why should we actually approach them? (...) At the end of the day, it will not have any effect.’”<sup>94</sup>*

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<sup>92</sup> Expert-interview with female local politician and ex-SPD member

<sup>93</sup> In his interview in *Lettre International* in 2009 Sarrazin had suggested that “a high number of Arabs and Turks in this town (...) had no productive function other than as fruit and vegetable merchants”.

<sup>94</sup> Expert interview with a politically active Muslim woman.

On the other hand, she knew many young Muslims, especially those that were already active in different social projects and had a good education that appeared quite resistant against the Sarrazin debate.

*“Those people feel German and integrated and they insisted on being German; (...) strengthening their German, but at the same time their Muslim identity; that they insist on not being pushed into hiding their Muslim identity because of the debate. (...) They feel motivated and think ‘Now more than ever!’ which is good because you have to reach young people in particular.”*

Other stakeholders, like Nofal from the network against discrimination of Muslims, perceived the overall situation less optimistically. She observed, that Muslims felt *“personally rejected, defamed and devalued”* by the whole debate. One of the effects she noticed even among young people was the polarisation between “us” and “them”, which had become stronger.

*“That has been a fundamental problem even before Sarrazin, that Germany has such an image of itself, to which you cannot belong and cannot be a real German, if you have Turkish roots, if you are Muslim (...) and this has intensified with Sarrazin.”*

We can observe here the strong effect of the boundary that is established towards Muslims who are defined as the significant other. This boundary between ‘Us’ and ‘Them’ that Schiffauer has identified as an integral part of the construction of the significant other, is thus internalized by these young people who through the process of othering perceive themselves as part of the ‘out-group’ and have to find new types of identification. The construction of the self as ‘other’ is to a certain extent adopted and reinforced. Others however try to resist this exclusionary process and insist on their belonging to the ‘We’-group against the dominant discourse.

These two major ways of reacting to the discursive exclusion and refusal of belonging could also be observed among the group of young Muslims that had invited Sarrazin for a discussion. They all expressed strong disappointment with how the former politician conducted himself during the meeting:

*“It was just like a monologue. He just talked, we asked and he talked. I mean he did not even let us finish our sentences. (...) He was not interested, he just sat there, very distant, with folded arms (...) It was just like he erected a wall in front of us.”<sup>95</sup>*

They were disappointed in their wish to reach him personally and maybe make him change some of his perceptions. Although Sarrazin acknowledged that they were different from the average immigrants that he described, he just saw them as an exception from the rule. Especially the young girls wearing the *hijab* felt stigmatised and excluded by his ideas. One of the group leaders described what he called a key situation of the encounter, when a young woman with *hijab* confronted Sarrazin in the following way:

*“I watch German TV, I read German newspapers, I speak German, I watch soccer, I support the German soccer team (...), I do everything, that a German does. Am I now German?”*

They described the reaction of Sarrazin as follows:

*“No, with the headscarf you will never be German. You will never be integrated with this headscarf.”*

Like the headscarf, outwardly visible signs of religion have been strong markers of otherness in the debate about Islam and integration. As in this debate between young Muslims and Sarrazin, the visibility of religion is often perceived as marking the boundary between those – still tolerable – Muslims that are not visible as such and those who through clothing, beards or visible performance of

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<sup>95</sup> Group discussion with politically active young Muslims

prayer are recognisably practicing Muslims. The latter cross the boundary not only between ‘the own’ and ‘the other’ but often – as in this case – between the tolerable, private performance of the religion and intolerable, publically visible religiosity.

The question of private and public practice of religion plays a crucial part in the debate about (Muslim) religion in general. Considering religious expressions that can be defined as Muslim, we observe that certain practices, such as the ritual prayer, can be tolerated in private but rarely in public places, such as schools.<sup>96</sup> Other practices, however, like the female headscarf, tend to mark otherness in every regard and, in the case of Sarrazin and his perspective, point to the inability to be ‘integrated’ and thus to the irreversible otherness.

Another example where the crucial role of visibility became apparent in the experience of the interviewees was in the area of political participation. The Muslim woman, who had left the SPD because of Sarrazin, explained the barriers of outwardly identifiable Muslims within political parties:

*“If you don’t immediately identify as Muslim, you don’t have these problems. I was spoilt, (...) they knew I was a Muslim, but I was not perceived as Muslim (...). My Muslim background was never in the foreground. But, if a lady with headscarf would appear there and would like to be active there, then she would have problems. And those [problems] she would have – and of this I can assure you – in every party, also with the Greens.”<sup>97</sup>*

The interviewee thus explains that outwardly recognisable signs of Muslim religious affiliation are perceived as markers of otherness. The signifier of otherness is so strong, especially with the *hijab* that parties of all different political colours partake in its interpretation as beyond the boundary of tolerable ‘difference’.

The young Muslims from the group interview also reported that the opinions of Sarrazin, like in this case the exclusion of women with the *hijab*, even extended into the realm of education:

*“We had an English teacher (...), who always confronted us with it, he repeated most of it and showed ‘Yes, that’s how Germans think.’ (...) so typical things like with headscarf you can never be German and similar things. And then he said (...) ‘This is how the majority of Germans think’.”*

Asked whether the teacher did or did not perceive them as German, they answered:

*“As long as we are wearing the hijab we cannot be Germans for Sarrazin and neither for our teacher.”*

In the group discussion, however, the young people seemed to deal with these experiences in a proactive way, trying to express their Muslim identity self-consciously and to combine it with their German identity as good as it was possible for them in these particular surroundings.

*“Generally I see myself reassured in that I wear my hijab more confidently now and also show that I am Muslim.”*

Young people thus described how persistent questioning and attacks made them turn towards their religion, which in turn made them more knowledgeable and self-confident.

They also expressed that through being good persons and teaching other young Muslims to be decent human beings as well they could change the perception of Muslims in society in the long run. One young male was less optimistic about his chances of equal belonging both due to his Turkish

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<sup>96</sup> Further interviews and analysis regarding the (non-)toleration of prayer in public German schools please refer to the project report on school life in Germany (Nina Mühe 2011).

<sup>97</sup> Expert-interview with female local politician and ex-SPD member

background and his religion. He pointed the idea of economic success as the only way of finding a way in society and of proving stigmatizations wrong. This is an interesting reaction as it directly responds to Sarrazin's demands for economic performance and achievement. Although Sarrazin is convinced that Muslims were generally less successful and less educated as a direct result of their cultural and ethnic heritage, the young people referred precisely to these ideas and this respondent tried to prove Sarrazin wrong and thus to possibly undo the hurt of social exclusion.

Although the young people tried to create their own way beyond stigmatising and racialising labels that are ascribed, they remain caught up in the same type of argumentation that dominates the Sarrazin discourse: they refer the question of 'integration' to themselves and agree to carry the main responsibility for other people's stereotypes and racist views about them. They often claim to possess the power to change them by just 'behaving in the right way'.

#### Ways of dealing with the challenge

However, the possibilities of rejecting and circumventing exclusion appear to be limited. Considering the experiences of the different Muslim interviewees, it seems that certain types of political activity, such as for example involvement in projects for empowerment of Muslims and engagement with party politics, might provide one way of responding to social stigmas.

Good examples for such efforts of empowerment are the mentioned group of young Muslims that had been part of a pilot project called "Youth culture, religion and democracy"<sup>98</sup> and also the Berlin project JUMA<sup>99</sup>, that aims to empower young religious Muslims and to motivate them for participation in political life by making them encounter high-level politicians. In the case of the invitation of Sarrazin, the encounter seemed to disappoint the young Muslims that were involved. Yet Jochen Müller, one of the leaders of the group and an expert interviewed for this chapter, explained that already the involvement with and discussion of the ideas of Sarrazin had helped the young people out of sense of passive frustration and hurt and motivated them to actively deal with both author and his arguments. It thus gave them the feeling of self-confidence and power to affect change.

The political participation of (religious) Muslims in general was mentioned as a means of countering the construction and stigmatisation of Muslims as the significant other in society. However, some interviewees also mentioned different barriers that had to be overcome in this respect. The Muslim woman, who had ended her political career in the SPD because of Sarrazin mentioned that, besides the headscarf as a strong barrier to participation in political parties, that it would also in other respects be hard for Muslims to integrate into party politics in Germany, such as for their praying five times a day, refusing alcohol or the hugging of a member of the opposite sex. Those barriers were however generally not described as conscious exclusions<sup>100</sup>, but rather as informed by a habitus among established party members where the common visit in the pub and other customs that are at odds with Muslim religiosity were an important part of party-political rituals:

One Muslim SPD member explained:

*"I don't see a conscious discrimination of Muslims there but structurally things have to change. The SPD has now introduced something like quota."*<sup>101</sup>

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<sup>98</sup> The project has been implemented in six Berlin schools since 2009 and is a cooperation between the Federal Agency for Civic Education and the Robert Bosch foundation and aims at fostering political participation of young immigrants.

<sup>99</sup> See also: <http://www.juma-projekt.de/>

<sup>100</sup> One of the interviewed experts, who has been active member of the CDU for many years, however explained, that his party explicitly excluded members of the Muslim organisation Milli Görüs. Whether someone wanted to engage in the youth department or in the party in general he/she had to sign, that he/she was not a member of this organisation.

<sup>101</sup> Expert interview with a politically active Muslim woman.



The introduction of a 15% quota for immigrants or people with an immigrant background in leading positions of the party has been one of the reactions of the SPD to the contested decision not to remove Sarrazin from the party. Since then, some activists with Turkish background have climbed the career ladder within the party both nationally and locally.<sup>102</sup> Most of the interviewees were quite sceptical about the quota but acknowledged its necessity in order to change power structures and the homogenous culture within the political arena.

None of the interviewed experts, even the one that had left the SPD because of Sarrazin, favoured the establishment of an immigrant or a specifically Muslim party. All supported the idea of migrants and Muslims claiming their space within the established parties and reforming them from within.

### ***Concluding Remarks***

Although the debate about Sarrazin and his book in many ways reflects German particularities, it closely corresponds with related debates about Muslims and integration in other European countries. The reason for the international prevalence of such debates seem to lie in features that we have explored in this report and in the construction of a group as the significant other in society and in the importance this other has for the construction of national identities.

The specific anti-Muslim discourse in Germany, of which Sarrazin is a spokesperson, has an important function for the construction of a national identity especially in times of fundamental changes in which Germany is turning into an immigration country and witnesses the steady growth of cultural, ethnic and religious diversity. This growing diversity is accompanied by a countermovement that is driven by certain social groups, mainly from within the well-established middle classes that try to maintain older social, political and power structures. The construction of a certain group – in this case: Muslims – as the socially significant other serves different aims of different political parties at the same time. Immigrants and/or Muslims and their apparent cultural or religious difference is perceived as the absolute ‘other’ of German society through the creation of a contrast with negative aspects that German society wants to distance itself from, at least in theory: from homophobia to anti-Semitism and misogyny. Following this projection of negative attributes and values the group is then quite justifiably positioned outside the borders of ‘what can still be tolerated’ within German society. This process of exclusion becomes stronger with the degree of public fears that are raised. The more a future scenario is constructed as negative or apocalyptic, in which the significant other becomes the dangerous other and takes over important parts of society, the more irrational the public fears become.

One of the factors of Sarrazin’s success was the existence of anti-Muslim debates in other European countries and especially the growing strength of populist parties that warn European citizens of the alleged *Islamisation* of their societies. Public figures like Geert Wilders in the Netherlands or Heinz-Christian Strache in Austria have been cautioning against a ‘foreign infiltration’ of immigrants, especially Muslims, and draw on a common European fear of the Muslim other – a fear that is, similar to the Sarrazin discourse, quite untouched by rational deliberation. This significant other assumes a role on the European level that corresponds to the various national levels. It helps to define Europe through its perceived borders that run along the faultlines of the ‘clash of civilizations’ and thus supports the unification process of the diverse European countries.

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<sup>102</sup> Kenan Kolat, that head of the NGO *Türkische Gemeinde Deutschland* (TGD) was subsequently appointed member of the party executive committee. See also: Jan Almstedt: “SPD holt Vielfalt in die Parteiführung” (SPD gets diversity into the party executive committee), 9<sup>th</sup> of May 2011, in: spd.de, online: [http://www.spd.de/aktuelles/News/11980/20110509\\_vielfalt.html](http://www.spd.de/aktuelles/News/11980/20110509_vielfalt.html)

One of the interviewees mentioned Dilek Kolat and Raed Saleh as two other people with immigrant background who had lately been appointed high positions in the SPD in Berlin.

Looking at issues of tolerance and intolerance the Sarrazin debate reflects many of those arguments that turn around the 'limits of tolerance' towards the marked minority.

On the one side the borders of intolerance can be observed to have extended towards discriminatory and even racist discourse by Sarrazin, as one of the effects of the debate was an opening of the field of what can be openly said in society, that was directly followed by ordinary people on the streets feeling obliged to rebuke persons, they perceived as Muslims. On the other side also the racism of Sarrazin and in general anti-Muslim racism has been named more explicitly after the publishing of Sarrazin's book, and a debate started, if what he said, was still tolerable. The Federal Bank, where he was a member of the board, broke up with him after the book was published and his party, the SPD thought about excluding him. While many perceived his ideas as non-tolerable, others thought they were protected by the freedom of speech and therefore had to be tolerated. The topos of the 'limits of tolerance' is an interesting figure as it helps observing, who thinks, what has to be tolerated by whom in society. In the case of Muslims it is on the one hand mainly the visibility of religion through mosque buildings, headscarves or prayers that is negotiated as a limit of tolerance while on the other hand anti-Muslim statements and actions like the book of Sarrazin or on the international level the comics of Kurt Westergaard are possible limits of tolerance. The respective other side is generally claiming liberalism, either the freedom of speech or the freedom of religious expression. (In-) tolerance and its limits is thus an interesting concept to observe, as it can either promote in- or exclusion, depending on who uses it and in which context.

Regarding the specific case of the Sarrazin debate and the general construction of Muslims as the significant other and its effects on the Muslim minority, it can be stated, that it caused detrimental social divisions by enforcing the perception of many members of the targeted minority not to be welcome in German society. Some young Muslims obviously reacted with drawing back into their smaller communities and looking for other possible identity concepts than the German one, even if they were German citizens.

Especially young people, who had already been active in civil society organisations and projects however managed to empower themselves and strengthen their self-confidence by learning more about both their own religion and German politics and how to handle both and engage into critical debates and even social activism.

One of the political conclusions would be to carefully consider taboos in the case of dehumanising speech, no matter which social group is targeted. Experience from anti-Semitism has shown, that those taboos do not abolish respective attitudes in society, but they hinder people in uttering them and receiving support from like-minded thinkers. They probably do so through preventing a certain group from being constructed as the significant other, towards whom intolerance seems to be a justifiable attitude, because he symbolises all that is rejected in terms of practices, attitudes and values. Therefore taboos could protect vulnerable groups from hurt and degradation and thus help prevent deep divisions in diverse contemporary societies.

## **Conclusion**

This report has given detailed insight into the dealing with religious difference, notably Islam and Muslims in Germany and into the role that the concept of tolerance and its different understandings play within the process of accommodating or excluding religious difference within important social fields like education and politics and within the overall public discourse. In this context, especially the excluding effect of tolerance discourse has been examined as well as its power to draw borders towards specific groups in society, that are constructed as completely different from the rest of society through those discourses. Regarding these excluding effects of the debates and the construction of Muslims as the significant other, the report further examined the effects this construction not only has on the members of the thus targeted minority but also on the self-understanding of the German majority and the construction of the national identity. As these debates and processes of constructing a national other are not exclusive to Germany, the report also draws some parallels of the German debate to the overall European debates about Islam and Muslims and the role those debates also play for the construction of a common European identity.

In the beginning in chapter 1 the report gives an overview of the historical development of German national identity as well as the developments of discourses and politics towards ethno-religious groups in society throughout the last three decades since 1980 and finally touches upon important debates and concepts like multiculturalism, leading culture, integration and tolerance.

Chapter 2 then deeply examines two real life cases from the realm of education, in particular public schools and the way how religious difference of Muslims is accommodated or not accommodated in this field. By speaking to many actors and experts in the field of education as well as looking at important court decisions the issue is analysed through taking into account very different viewpoints on the specific practical conflicts with religious difference as well as on general concepts like the religious neutrality of the state and tolerance versus acceptance or respect towards (visible) religious practice in the public sphere.

Coming from the debates and practices towards religious difference in school life chapter 3 then analyses the general political debate about religious difference of Islam and Muslims in Germany and its effects on the self-identification of Muslims and their participation in society in politics. Looking at the Sarrazin debate as the most outstanding debate of intolerance towards Muslims in the last years in Germany also gives the opportunity to look at the reasons for it and the general anti-Muslim debates in parts of the majority society. It is particularly the construction of a significant other in society and the role this other plays for the national identity, which is examined in this part of the report.

Dealing with difference always touches upon the understanding of ones own identity, be it an individual or a group. On a national level therefore the acceptance, tolerance or respect towards diversity very much touches upon the national self-understanding. In order to pose the question, how the dealing with diversity is conditioned by the self-understanding of German citizens and the nation as a whole, it is necessary to have a look at the historical development of this national identity.

The German history has for a very long time seen a very ethnic and even biologist understanding of national identity, which has often led to an exclusive attitude towards inhabitants with a different ethnic and/or religious background. While Germany is not the only country to link ethnic origin to its understanding of nationality, some historians argue that this tie has been especially strong here. Among the reasons given is the historical importance placed on local or regional identity over national German identity that can still be observed in the importance of the *Länder*, the individual federal states vis-à-vis the national level. These strong regional identities have then led to an even stronger emphasis on a constructed common German national identity, almost overcompensating to keep the fragmented

territory together and build one nation. In the process, other nations were constructed as inferior in relation to the German one and a specifically German idea of the *Volk* was developed, which lays particular emphasis on a common bloodline of all the members of the nation. This was far more ideological than the concept of ethnicity, and strongly linked ideology and (perceived) biological factors. Together with the devaluation of other nations and ethnic groups this concept of the *Volk* ultimately led to the National Socialists' idea of a superior German 'race', which had to govern all other 'races' and even extinguish other groups and nations.

Although the National Socialist regime and its ideas have long been overcome and certain thinkers, like Jürgen Habermas, have argued that the only possible patriotism in Germany today could be patriotism towards the constitution, the idea of the *Volk* has not been completely jettisoned. As a result, German citizenship has, until recently, been closely tied to ethnic origin. The citizenship reform of 2000 has partially changed this and enabled immigrants and their descendants to become German citizens under certain circumstances.

This national self-understanding has affected different ethno-religious groups in different ways throughout the last three decades in Germany. While the time after WW2 has still been dominated by the economic uprising of the country and the necessity of foreign workers to help build up the destroyed country, the economic boom ended in the late 1970s and beginning 1980s and with it the political will to host foreign workers, especially as also growing refugee-immigration from war-torn countries and inner-German migration from East to West changed the attitude in society towards the immigrants and thus political measures were taken to encourage them to return to their home countries. Although many of the recruited workers from Turkey and other countries stayed in Germany, the de facto status as an immigration country had been negated by German politics until the year 2000. In 1989, Daniel Cohn-Bendit, member of the Green party, initiated with the support of his party the *Amt für multikulturelle Angelegenheiten* (Agency for Multicultural Affairs) in Frankfurt/Main that aimed to mediate between immigrants and the broader German society and mark the beginning of a change in immigrant politics. Supporters of the concept of multiculturalism at this time criticised the Federal Government for its negation of the actual reality of Germany having become an immigration country through the recruitment of labour migrants. With the memory of World War II and the racist ideology of the National Socialists having led to mass killings of Jews and Roma and other ethnic, religious and political groups, the supporters of the multicultural idea wanted to prevent any form of hostility or even pressure towards assimilation directed towards immigrants.

After the break down of the inner German border, the subsequent high proportion of inner-German migration, immigration of ethnic German resettlers and the growing immigration of refugees from war-torn countries the public opinion towards immigrants and ethno-religious others in general strongly deteriorated. The 1990s saw some terrible outbreaks of violence against asylum seekers and other immigrants, which was followed by a restriction of the right to asylum by the political representatives.

The acknowledgement of the status as immigration country and respective political measurements for the inclusion or integration of immigrants lasted until the citizenship reform of the year 2000. Together with the far-reaching decisions in the citizenship law, that enabled children of immigrants to become German citizens under certain circumstances, the political debate of a common German leading culture (*Leitkultur*) came up. The idea that, especially in the face of immigrants being able to become German citizens, all Germans had to be united by a dominating culture, gained considerable support and was especially used to counter the idea of multiculturalism. Although no explicit referral to ethnicity was made any more, the idea of a common *Leitkultur* in opposition to multiculturalism tried to uphold the idea of a superior German culture, that had to be taken over by the immigrants. Although the following political debate mainly turned around integration of immigrants, the idea of a leading culture behind it rather led to and understanding of assimilation in practice.

In the light of these developments of national identity, the anti-Muslim debates following the attacks of 9/11 are to be seen also in this context of trying to uphold a common national identity, that is also constructed in opposition to the immigrant groups. Due to the European and global negative debates about Muslims and Islam this group has become the ideal candidate for the creation of this national other against whom a positive common German identity can be constructed.

It is exactly this construction of the national other that makes particular use of the concept of tolerance. While tolerance as a normative concept is generally understood as the opposite of discrimination and racism, it can be observed in current public discourses that the concept of tolerance is also increasingly used to draw borders between those who are to be tolerated and those who are not, while the non-tolerance towards a specific group or individual is often legitimised with its own (perceived) intolerance towards others. Whereas ‘Turks’ or ‘Muslims’ were largely perceived as the victims of intolerance during the violent attacks in the early 1990s, more and more, they have come to be portrayed as ‘intolerant’ themselves, whether towards Jews, homosexuals or liberal societies in general. By portraying – especially religious – Muslims in this way, they are labelled as foreigners with incompatible values and beliefs to whom too much tolerance would be a detrimental attitude.

Looking at tolerance in this way as a political discourse that marks insiders and outsiders of the society reveals a rather excluding power of tolerance talk and at the same time one that sheds light upon the unequal power relations between the subjects and objects of (in-) tolerance. The widely heard slogan of “no tolerance for intolerance” had been traditionally used to counter right-wing extremism but is mainly used for Muslims and Islam in current debates. It therefore not only draws borders towards a group of religious others by not granting tolerance towards certain attitudes and practices but also by implicitly positioning the members of this groups outside and beneath the national “we”. The thus labelled outsiders do not enjoy equal rights like the right of religious freedom, based in the constitution, but depend on the tolerance of the powerful majority to grant them these rights or not.

With Wendy Brown we can call this way of using the tolerance concept a discourse of depoliticization, in which “tolerance can function as a substitute for or as a supplement to formal liberal equality or liberty; it can also overtly block the pursuit of substantive equality and freedom” (Brown, 2006:9). How far and in which ways the tolerance talk and related concepts are able to block the pursuit of equality and freedom, is examined in detail in regard to religious freedom of Muslims both in national debates and in practice in the question of (religious) conflicts at German public schools and in political life.

The two practical cases out of the realm of education at public German schools, that we examined were both taken to court and thus serve to illustrate conflicts regarding Muslim religiosity and public schools, that were not solved with good understanding, but represent strongly opposing views and attitudes of the individual cases but also towards the role of (minority) religion in public schools in general. The major concept analysed in these cases and the relating debates were the concept of tolerance and the concept of religious neutrality of the state. Especially the first case of a young Muslim boy, who fought for the right to perform his ritual prayer within the public school building, gave very rich data for analysing the role of religious neutrality of the state and the discourses around it. As soon as the religious practice of Muslim individuals, be it students or teachers, at public schools is debated, the question of religious neutrality of the state appears, generally as an argument to reject the right to visibly performed religious practice. This has been extensively debated in regard to the headscarves of Muslim teachers – and eventually led to the headscarf bans for teachers at public schools in Berlin and other federal states – and has again become a public issue in the case of the prayer of the Muslim boy. Through analyses of the court rulings as well as lines of argumentation of the different actors involved, we found two major way of interpretation of state neutrality that can be distinguished and that lead to very different and even opposing views towards the accommodation of minority religious practice at public schools. They are also related to two very different concepts of tolerance.

The two different interpretations of neutrality of the state were even presented by the different courts that were trying the prayer case in Berlin. While the first court did not see the neutrality at stake through the provision of a prayer room and obliged the school to enable the prayer of the boy, the higher court defined the state neutrality in a more laic sense and decided that the provision of a room for religious purposes would interfere with the neutrality of the school as a state institution, which even outweighed the right to religious freedom of the Muslim boy.

The first court strongly supported the idea of the positive religious neutrality of the state that did not aim at excluding religious practice from the public sphere but rather obliged the state to treat, and even support, all religions equally without favouring one specific religion before others. This idea of state **neutrality can thus be described as ‘equal support of different religions’**.

The second court level however rather referred to an understanding of **neutrality that can be described as ‘invisibility of religious practice’**. This view on state neutrality was also held by the respective school, that forbid the boy to perform his prayer in the school corridor because the school had to respect the religious neutrality of the state. Instead of the school being obliged to be neutral towards the students, the neutrality is extended here towards the students that have to be religiously neutral within the school building.

The findings of the analysis of the Berlin cases mainly represent two of the three options that the professor for church law Hans Michael Heinig had mentioned as the possible ways, how the German *Staatskirchenrecht* (the law affecting the church and the state) could develop in the future:

1. Equal treatment before the constitutional law regarding religion (*Religionsverfassungsrecht*)
2. Hierarchisation through the privileging of the Christian denominations
3. Laicisation of the religious legal order.

Although the privileging of Christian denominations can be widely perceived in the national debate about *Leitkultur* it had hardly been mentioned in the cases analysed, which might be due to a rather non-religious political sphere in Berlin. However a certain laicisation of the understanding of religious legal order can definitely be stated for the Berlin cases and many of the actors involved in the debate.

Heinig clearly opted for the equal treatment before the *Religionsverfassungsrecht*, which he thought to be by far the best option, also in terms of compatibility with EU law.

Apart from distinguishing the two fundamentally different ways of understanding state neutrality, we found a connection between the positions regarding neutrality and the view towards tolerance.

The first court that had an understanding of state neutrality as equal support of different religions used the concept of tolerance in connection to respect, saying that a common prayer room for all children at school could help them to learn mutual tolerance and respect. The concept of tolerance that the court referred to might best be described by the ‘respect-conception’ of tolerance (Forst 2003). This sees tolerance as a virtue that is mutually given by different partners, but goes beyond mere forbearance of the other towards respect of the other’s views and attitudes.

The second court level and other actors in the field framed tolerance in a different way by perceiving it as too weak an instrument for securing peace at a diverse school. This view sees tolerance as a practice that could even lead to increased incidences of conflict at school, if too much (different) religious expression was tolerated. The concept of tolerance used here is a rather exclusive one, rather close to an ‘allowance-conception’ (Forst 2003). In this concept one party has the power to tolerate the other or not, and tolerance is granted (or not) in spite of inner rejection of the other or his or her practices and views.

Combining the concepts of religious neutrality of the state and tolerance we found that **the understanding of state neutrality as an equal support of different religions is closely connected with an understanding of tolerance as respect. Tolerance in this sense is closer to respect and**

acceptance and might be seen as the individual virtue of citizens, where the concept of neutrality as the support for equal rights is the legal framework.

On the other hand we can state that **the understanding of state neutrality as eliminating any outwardly perceivable form of religious practice from the public sphere is in close connection to the understanding of tolerance as allowance. Tolerance is rather portrayed as a threat than a virtue and mainly mentioned in connection to its limits, those being any kind of perceived intolerance of religion itself, primarily any attempt to proselytise. Tolerance is not understood as an individual virtue supporting the legal frame of equal rights, but rather it is taken as some kind of bearing of the other, one who is not on equal power terms but always in danger of not being tolerated any longer. The non-tolerance is then applied to any perceivable kind of religious expression, especially when performed by groups.**

As Heinig explains tolerance as a concept should not feature in the legal debate at all. The toleration of people with a different faith would be only a pre-stage to religious freedom, which has already been secured, and as an individual virtue of the citizens it is no legal duty. There has however been a remarkable shift within public debates from a 'respect-conception' of tolerance towards an 'allowance-conception' within the last years. With Wendy Brown we could state that by changing a legally ensured right (in our case the freedom of religious expression) into an objective of tolerance, the debate is taken out of the realm of equal rights and into the realm of voluntarily attributed allowance, and from a more powerful towards to a less powerful entity.

The issue of unequal power relations being mirrored in the tolerance talk had also been touched upon within the other case we examined, the Islamic religious education at public schools. One of the mentioned goals of the Federal Government to establish Islamic religious classes at state schools throughout the country is the education of Muslim children towards tolerance. One the one hand this raises the scepticism of Muslim representatives whether the non-interference of the state into the content of the religious education would be secured and on the other hand the concept of tolerance here tends to have an excluding function when used by public officials, with demands that tolerance be taught to Muslim children with the implication that they are intolerant.

This perception of the intolerant Muslims seems to be deeply rooted within the public discourse. Islam and Muslims are often portrayed as having intolerant attitudes and practices, from homophobia to misogyny and rejection of other faiths and worldviews. Subsequently the concept of tolerance is more and more perceived as a threat to peace and public order, if it is applied in relation to people and groups who are perceived as not tolerant themselves. The slogan 'no tolerance for intolerance', which had traditionally been used when rejecting rightwing extremism and violence, has lately turned into a defender of the liberal society against visible Muslim religious practices, from headscarves to mosques and public prayers. Through this turn it has however also become an agent of and justification for restrictive and illiberal views and politics towards Muslims.

How this view on Muslims as intolerant and illiberal can justify a very intolerant and even racist view and debate about them has most vividly been displayed by the national debate about the book "Deutschland schafft sich ab" (Germany does away with itself) of the social democrat Thilo Sarrazin. Even if the way how Sarrazin attacked Muslims in general as unintelligent and unable to integrate has been new in its quality, especially as coming from a rather left wing politician, it could draw on a broad preceding discourse about Muslims and Islam. This debate had already constructed this social group and portrayed it as standing in opposition to widely held national values and had thus made it widely justifiable to disrespectfully talk about the respective group and its members. The broad acceptance of Sarrazin's ideas in the population showed, that he had only been a spokesperson for an attitude towards Muslims that had long been built up by public debates. Intolerance towards Muslims already seemed to be appropriate for a large part of the population by the time the debate about his book started. However the open utterances of even racist views can also be perceived as having further enhanced those attitudes.

The Sarrazin debate also allows us to look at (in-) tolerance towards religious minority and different religious practice, in particular those of Muslims, from a broader angle. The fact, that the book so heavily resonated with already existing attitudes in the German population showed, that the discussion about the 'other' also tells a lot about the 'self', respectively the national self-identification. Due to a specifically ethnic understanding of national identity in Germany, it has never been easy for people with some kind of migration history to self-identify as German, especially because of the exclusion experienced by others. The debate about Muslims has however reached another quality in regard to exclusion of others during the last years. Similarly to other European countries Muslims have more and more been constructed as the significant other in society, as a group, whose members are in an essentialising way all defined as having similar values, customs, practices and even character traits. Those characteristics have not only been constructed as different from the rest of society but also as opposing and inferior to those of the majority groups.

It is exactly this perceived value difference, that turns Muslims into the significant other and thus into a negative mirror, that helps the majority groups to positively self-identify with attributes like tolerance, gender emancipation or liberalism by distancing themselves from the group of significant others, who all represent the opposite of those values. Those others are justifiably positioned outside the borders of 'what can still be tolerated' within German society.

The significant other fulfils two very important functions with the modern nation state: By mirroring all the negative attributes, that might be associated with the national identity, like anti-Semitism or intolerance in the case of Germany, it lifts the burden of those negative qualities from the majority groups by transferring them unto the minority and thus helps to create a positive national identity. At the same time this positive common identity also unifies the otherwise strongly and rapidly diversifying population. The price of the positive self-identification and unifying power of the otherising process is however the exclusion and de-valorisation of a whole minority group. This process of exclusion becomes stronger with the degree of public fears that are raised. In the case of Sarrazin's book the fears he tried to raise were the loss of intelligence and even the complete abolishment of the German culture and nation in the future, when all girls had to wear headscarves and the call of the Muezzin could be heard in every street. The more a future scenario is constructed as negative or apocalyptic, in which the significant other becomes the dangerous other and takes over important parts of society, the more irrational the public fears become. This was also well exemplified by the Sarrazin debate, when the validity of his data did not seem to play an important role for his support. Although renowned scholars had countered many of his statistics and conclusions, those data did not change the general national debate about his statements.

It is however also this irrationality of the discourse, that makes it especially dangerous for those people, that are targeted by it. Intolerant behaviour towards them seems less and less problematic extended and discriminatory and even racist behaviour is often not perceived as such. The Sarrazin debate can be said to have extended the limits of intolerance by opening the field of what can be openly said in society that was directly followed by ordinary people on the streets feeling obliged to rebuke persons, they perceived as Muslims.

The general construction of Muslims as the others and the specific debate about Sarrazin's book in turn enforced the perception of many members of the targeted minority not to be welcome and not to belong to Germany and caused detrimental social divisions in society. Some young Muslims obviously reacted with drawing back into their smaller communities and looking for other possible identity concepts than the German one, even if they were German citizens.

Especially young people, who had already been active in civil society organisations and projects however managed to empower themselves and strengthen their self-confidence by learning more about both their own religion and German society and politics and how to handle both and engage into critical debates and even social and political activism.



One of the political conclusions would be to carefully consider taboos in the case of dehumanising speech, no matter which social group is targeted. Experience from anti-Semitism has shown, that those taboos do not abolish respective attitudes in society, but they hinder people in uttering them and receiving support from like-minded thinkers. They probably do so through preventing a certain group from being constructed as the significant other, towards whom intolerance seems to be a justifiable attitude, because he symbolises all that is rejected in terms of practices, attitudes and values. Therefore taboos could protect vulnerable groups from hurt and degradation and thus help prevent deep divisions in diverse contemporary societies.

Solutions to the exclusion of Muslims and other groups and the development of hate speech and even racist acts should also be looked for on a European level. The process of constructing Muslims as the significant other is not only happening in Germany but in many European members states and can even be perceived as having an important effect for the unification of the quickly diversifying European Union. As such it is also not a new process and can draw on historical events and debates, that long constructed the 'Orient' as the significant other to Europe and as its negative mirror in values and norms. Even if those values and norms, that Europe holds dear have changed to a considerable extent (like liberalism having replaced strict Victorian norms) the mirroring effect of the Orient has remained and has through the discourses of the last decade also included Muslims within European countries and thus started to draw strict borders of what can be tolerated or not even within the own nation states.

## Annexes

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### ***Lists of interviews***

List of interviews for chapter 2

#### *Interviews with policy makers and experts from Muslim and non-Muslim NGOs*

No 1, (N), male, representative of the Berlin Senate Administration for Education, Science and Research, 27.04.2011

No 2, (B), male, former representative of the secular Turkish NGO *Türkischer Bund Berlin Brandenburg (TBB)*, 06.04.2011

No 3, (C), male, representative of the Muslim Organisation *Islamische Föderation Berlin (IFB)*, 08.04.2011

No 4, (H), male, representative of the *Bildungswerk der evangelischen Kirche Berlin-Brandenburg* (Educational Centre of the Evangelical Church Berlin-Brandenburg), 18.04.2011

No 5, (I), male, employee of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 20.04.2011

No 6, (Q), female, teacher and associate of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 18.05.2011

No 7, (R), male, teacher and associate of the association *Regionale Arbeitsstelle für Bildung, Integration und Demokratie (RAA) e.V. (Regional Working Place for Education, Integration and Democracy)*, 18.05.2011

#### *Interviews with teachers*

No 8, (A), female, teacher, teacher trainer and author of school book for Islamic religious education, 05.04.2011

No 9, (D), male, teacher and member of the *Humanistischer Verband Berlin-Brandenburg* (Humanist Union Berlin-Brandenburg), 11.04.2011

No 10, (E), male, teacher and headmaster of Berlin school, 12.04.2011

No 11, (J), female, teacher and active member of teachers' union *GEW (Gewerkschaft für Erziehung und Wissenschaft)*, 20.04.2011

No 12, (K), female, (Muslim) teacher of school project in Hannover, 22.04.2011

No 13, (O), female, (Muslim) religious teacher of the *IFB (Islamische Föderation Berlin)*, 11.05.2011

No 14, (P), female, (Muslim) teacher at the Muslim elementary school in Berlin, 16.05.2011 (tape recorded but not transcribed)

#### *Interviews with Muslim pupils*

No 15, (F), female, student at secondary school in Berlin (Gymnasium), 14.04.2011

No 16, (G), male, student at secondary school in Berlin (Gesamtschule – Comprehensive School), 15.04.2011

No 17, (L), male, student at secondary school in Berlin (Gymnasium), 26.04.2011

No 18, (M), male, former student at secondary school in Berlin (Gymnasium), 11.04.2011

#### Discussion Group

The discussion group was held as a four hours exchange between scientists, experts, teachers and pupils. The main topic of the debate was „Islam and Islamophobia in school“. The group consisted of seven (Muslim and non-Muslim) teachers, trainers and other experts from the area of education, four Muslim pupils and four experts from the field of science and research including the author of the report.

List of interviews for chapter 3

No 1, Lydia Nofal, project leader of the Network against Discrimination of Muslims at the Muslim NGO Inssan e.V. in Berlin, 12.01.2012

No 2, Dr. Jochen Müller, coordinator for Berlin of the project “Jugend Religion Demokratie” (Youth, Religion, Democracy) of the Bundeszentrale für politische Bildung and the Bosch Foundation, 20.01.2012

No 3, Yasemin Shooman, PHD candidate at the Zentrum für Antisemitismusforschung (Centre for the Research on Anti-Semitism), 20.01.2012

No 4, anonymous, female, Muslim, former active member of the SPD, 20.01.2012

No 5, anonymous, male, Muslim, former active member of party politics, 23.01.2012

No 6, anonymous, female, Muslim, politically active, project leader of many projects involving Muslims, 24.01.2012

Group Interview with 6 participants, 5 young Muslims (2 male, 3 female) and one of their group leaders, 01.02.2012

***Interview Guidelines***

Guidelines for interviews of chapter 2

**Example: Senate representative:**

**Case 1 – Prayer at public school**

- Mr P, after the Administrative Court had decided that the Muslim pupil who had gone to court should be permitted to perform his prayer once a day in school, the Senate Administration for Education reacted negatively and appealed against the decision. Could you please explain shortly the reasons for this decision?
- The Administrative Court ruled that the neutrality of the school was not endangered by the prayer of the student. The Berlin Senator for Education viewed this differently. Could you

please explain shortly the difference between these two perspectives and especially the view of the Senate regarding the issue of neutrality?

- The media quoted among others, that “the Muslim prayer in school had a demonstrative and missionary character” and had thus to be rejected. Could this have been avoided by a separate room for the prayer?
- During the first hearing there was the argument that one would soon be confronted with entire gyms full of praying students, which would overburden the schools. At the second hearing one main argument was, that the pupil had not used the room often enough. Is there not a contradiction within the argumentation?
- One media article reported: “The representatives of the Senate Administration for Education pointed to the fact, that at the *Diesterweg Gymnasium* 29 nationalities and all kinds of religions were present. By tolerating the midday prayer of a student, additional conflicts would be created.” Do you think it is a long-term solution to keep the diversity of the students out of the schools, or should we not look for possibilities for talking about them and find common solutions?
- According to you, what could an amicable solution that would have avoided the court case, have looked like? Do you think the setting up of a common ‘room of silence’ would be an option?

### **Case2 – Islamic religious education**

- The Senate Administration for Education was against the religious education at Berlin schools, held by the Islamic Federation. Could you please explain shortly, why, and if the preception has changed until today?
- How are the experiences of the schools with the resepective teachers and with the instruction?
- Which kind of solutions for (or against) the Islamic religious education would have been favoured by the Senate Administration for Education?
- Some years ago there were plans to introduce *Islamkunde* (instruction about Islam, which is not confessional) instead of the confessional education by the Islamic Federation. What happened to these plans?

### **Other representatives**

Every representative of an NGO or a public institution was asked specific questions in relation to what he or she had uttered publically regarding one of the issues in question or both of them.

### **Teachers**

**Example: Non-Muslim female teacher, teacher trainer at public schools and co-author of a school book for Islamic religious education**

- Did you follow the prayer case closely through ist media reporting?
- Did you hear discussion among teachers and school stuff about this issue? If so, which views were prevailing among the teachers?
- Do you think the public discontent after the first court decision was really widely spread within the public schools or was it a media event?
- Which kind of solutions are found for these problems or can be found?
- How do you think this problem should be dealt with?
- Is this case in any way symptomatic for dealing with religious minorities or Muslims in particular?
- On a continuum of “tolerance – acceptance – recognition/respect” towards religious minorities – where would you position this case? And can it be positioned there at all? And what would you think would be a solution, that would belong to the area of acceptance or respect?
- Do you have any experiences with the instruction of the Islamic Federation, or did you hear about experiences of any of your colleagues?
- Has the initially bad perception of the Islamic Federation and ist teachers changed?
- Do you know anything about the material they use? Do they use your book too? In which other federal states/ cities your book is being used?

#### **Other teachers:**

Every Muslim or non-Muslim teacher was asked some specific question regarding his or her specific situation as a teacher of ethics, religion, a Muslim or a non-Muslim teacher.

#### **Muslim students**

- What are the most important issues in school?
- Have you heard about the court case regarding the prayer at school?
- What do you think about it?
- Is the prayer an issue at your school? How does the school administration and how do the teachers deal with it?
- Is it an issue for you personally?
- How do you think this issue should be solved?
- Are there other things concerning your religious expression, that have become an issue at school?
- Do you feel accepted with your religion at your school? If not, why not?
- How do the non-religious students think about the way the school deals with Islamic practices? How do they perceive the issue of prayer at school? Are there any conflicts?



### Guidelines for interviews for chapter 3

Interview with Lydia Nofal, project leader of “Network against Discrimination of Muslims” of the Muslim NGO Inssan e.V. in cooperation with the Anti-Discrimination project ADNB in Berlin, 12.01.2011

1. Has the debate about the book of Thilo Sarrazin „Deutschland schafft sich ab“ changed anything for you personally within your direct surroundings?
2. Has the debate changed anything within your professional field? Do you notice any differences in the debate about Muslims before and after the book?
3. Do you notice any kind of change in the media discussions since then?
4. How has the debate and the following debate about integration affected those Muslims, with whom you talk about discrimination in the mosques (referring to awareness campaigns that the network carries out)? Have those people, who have made experiences of discrimination or others ever mentioned Sarrazin and the debate about him?
5. How do you perceive the political participation of Muslims in Germany? Are there any barriers to full participation?
6. How have you perceived the failed attempt to exclude Sarrazin from the SPD?
7. Leading politicians of the SPD have promised changes in their politics towards migrants after the decision not to exclude Sarrazin. Especially the political participation shall be improved by introducing a quota. What do you think about it and what would have to be done differently in order to raise the participation of migrants/Muslims in politics?
8. Is there anything important, that you would like to add?

Interview with Yasemin Shooman, PHD candidate at the Zentrum für Antisemitismusforschung (Centre for the Research about Anti-Semitism), 20.01.2011

1. You work about anti-Muslim discourses within your research. Has the Sarrazin debate caused any kind of caesura and if so, in which way? What can still be felt today, and which kind of changes regarding the general debate about Muslims and Islam would you state?
2. Are there any changes for you personally within your direct surroundings?
3. You also work voluntarily within the field of anti-Muslim racism, especially in the field of education, you are active in the GEW (trade union for education) and you are creating school materials about this issue. How do you think the Sarrazin debate and the following debates about integration have affected the area of education? How do teachers and (Muslim) pupils to your experience deal with it?
4. How do you perceive the political participation of Muslims in Germany? Are there any barriers to full participation?
5. How have you experienced the failed attempt to exclude Sarrazin from the SPD?
6. Leading politicians of the SPD have promised changes in their politics towards migrants after the decision not to exclude Sarrazin. Especially the political participation shall be improved by introducing a quota. What do you think about it and what would have to be done differently in order to raise the participation of migrants/Muslims in politics?
7. Is there anything important, that you would like to add?

The other guidelines for the Expert interviews have been similar like these two with slight changes due to personal field of experience of the respective interviewee.

Interview with young Muslim participants of the discussion with Sarrazin, 01.02.2012

1. Could you please describe shortly, what you are generally doing in the „Dialoggruppe“ (dialogue group)? Why were you interesting in taking part in it in the beginning? What are the aims of this group? Have your expectations been met?
2. How did the idea to invite Thilo Sarrazin come up?
3. Have you read the interview with him in *Lettre International* together? What emotions and thoughts came up when reading it? Have you known such kind of arguments before or did it have a new quality for you?
4. Have you also read his book? How were your reactions to it? Do you have the impression that he is targeting Muslims in particular or are there also other social groups, that he speaks about in a negative way?
5. What were your hopes regarding the meeting?
6. What kind of questions have you created for the meeting with him and how?
7. Has he answered them and were you satisfied with those answers?
8. Did you have the impression, that he really engaged with you and maybe even changed his mind?
9. Do you think, that many people in Germany think like Sarrazin?
10. Have you heard of other people, you know, that they agree with him? If so, how does this make you feel? How do you react to it?
11. Has anything changed in Germany – to the positive or to the negative - since Sarrazin
12. Has the debate about Sarrazin and similar debates discouraged you? Has it changed anything for you regarding your self-identification as Muslim Germans, as part of the society?
13. What can you do in order to change these kinds of debates/ to engage yourselves within them?
14. Do you have the impression, that you can change anything in society with your dialogue work? Are there other projects/ideas that might change something?
15. Has your interest in politics changed through the dialogue group and maybe through the meeting with Sarrazin?
16. What has to be changed in order for Muslims to participate more actively in German politics?

